'more far-reaching complex analyses of labour market regulation' (186) including engagement with actors in emerging markets and policies adopted to address the economic crisis. Alvaro Santos draws the collection to a close by calling for more exploration of the relationship of economic sectors and labour regimes in order to reimagine market flexibility and labour law and for which he offers some welcome concrete suggestions.

Three contrasting essays engage with law and 'new governance' in Part IV on the European Union. While Kenneth Armstrong and Norbert Reich explore the potential of the Open Method of Coordination as a means of new governance in relation to the orthodox Community Method, Christina Joerges and Maria Weimer suggest that proceduralization of EU law through 'conflicts-law constitutionalism' is preferable to the 'executive managerialism' that they associate with new governance. The essays in Part V on Rights Discourse explore social, civil and human rights through a range of issues and locations: Henry Steiner discusses the headscarf controversy in France; Tamara Hervey locates social rights in the 're-imagined jurisprudence' of European courts; and Helena Alviar Garcia evaluates the degree to which the Colombian Constitutional Court has drawn on social, economic and cultural rights to limit or reinforce the market.

Yves Dezalay and Bryant Garth open the final Part VI on The Legal Profession and Globalisation by linking Trubek's sociological scholarship with Bourdieu and calling for a more reflexive sociology in order to understand the legal field. Michele Papa explores the reformist agenda in BRICS and John Ohnesorge evaluates the extent to which local corporate lawyers providing international legal services should be supported in developing states. Rounding off the collection is David Wilkins's account of the current collaboration with Trubek on GLEE (Globalization, Lawyers and Emerging Economies), reminding us of the need to forge closer links with scholars around the world to study in the intersections of international law and global governance processes (448) and underscoring the significance of this collection as a resource for interdisciplinary research.

The variety of styles, issues and methodological approaches of these papers, addressed in the context of a globalizing world, creates empirical openings that both critical legal, and doctrinal, scholars will find refreshing and illuminating, making it a genuinely valuable resource on global governance. While advancing the salience of critical legal scholarship of global governance, it appears entirely deliberate that the editors stop short of a thorough defence of the 'critical', which is a welcome move. For what underpins this collection is not the protection of a particular theoretical position, but the desire of the contributors to touch base with an academic whose scholarship, drive and collaboration has been influential in their own work, thereby creating innovative spaces for exciting and important research projects. So, far from creating a gallimaufry, the editors enable the reader to travel through a coherent and glorious celebration of research inspired by Trubek's work, and in this they succeed in honouring the academic journey of an outstanding critical global scholar.

JANINE SARGONI*

Transition from Illegal Regimes in International Law, by YAËL RONEN [Cambridge University Press, 2013, 402pp, ISBN 9781107679665, £25.99 (p/bk)]

In *Transition from Illegal Regimes in International Law*, which is the commercial version of a PhD thesis defended at Cambridge University, Yaël Ronen examines the legal and political constraints which post-transition regimes face when pondering a return to the law applicable before a prior illegal regime came to power. Examples, also discussed at length in the book, are the Baltic States' contemplated policy of erasing the Soviet Union's imprint on their legal systems during the period

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of—illegal—annexation between 1940 and 1990, and Timor-Leste's struggle to come to terms with the legal changes brought about by Indonesia's—illegal—presence between 1975 and 1999.

Ronen does not disappoint. In a meticulously researched and very well-written book, she focuses on six case studies, and analyses in particular, also from a doctrinal perspective, the effect of transition from an illegal regime on treaty relations of the territory, the domestic law of the territory, settlers implanted by illegal regimes, and land titles. The selection of the case studies is defensible, and the cases are painstakingly investigated in minute detail, including on the basis of field visits and interviews where legal texts and existing analysis were lacking, eg in respect of the artificially created South African Bantustans. As a minor point, it surprises that Israel's annexation of the Golan Heights and the occupation of Gaza and the West Bank, accompanied by the implantation of a large number of settlers, is not addressed. The fact that the current status of these territorial entities resulted from Israel's exercise of self-defence, that there is little actual discussion of transition with regard to these entities, and that the law of occupation is considered a more appropriate legal framework, does not seem to be fully convincing. This issue, nonetheless, does not cast a shadow over the structure and the analytical quality of the work.

Ronen starts her doctrinal analysis by reminding the college of international lawyers of the obligation of non-recognition applicable to illegal territorial regimes—regimes that came into being as a result of a violation of a peremptory norm, eg through annexation—and their acts. What international lawyers are generally less familiar with is whether this obligation is, or should be, seen through to its logical conclusion; namely, that all acts adopted by the illegal regime should not only be considered invalid *ab initio* but should also not be given any practical effect, including after the demise of the illegal regime. It goes to Yaël Ronen's credit that she has taken seriously the 'facts on the ground' that have been created by the often prolonged existence of an illegal regime, and which individuals may legitimately have relied upon. To be sure, in its *Namibia Advisory Opinion*, the International Court of Justice had already observed that the scope of obligations of non-recognition is not absolute, and that non-recognition should not go to the detriment of the interests of the local population. The classic standard employed in this respect is whether acts 'entrench' the illegal regime; if they do, they should not be given any legal effect, including after transition. Ronen, for her part, suggests an alternative, case-by-case approach informed by international human rights law. The result of such an approach is that the post-transition regime's political objective of returning to the *status quo ante*, which wipes out the consequences of the previous regime's presumptively illegal acts, may be interfered with by long-term residents'(including settlers) rights to housing, family, and private life.

In doing so, Ronen shows that, given the acquired rights and legitimate expectations of innocent individuals caught up in geopolitical events, transition from illegal regimes is necessarily messy, and reliance on principle may not be particularly helpful to bring closure or justice to affected individuals. Somewhat counterintuitively, and to some possibly shockingly, this means that the illegal regime may survive its own demise, and that the principle of non-recognition, which is supposed to enforce a return to legality, will have little practical effect. This is a sobering observation, but it is informed by justified considerations of humanity: should one indeed allow eviction of long-term tenants of property in favour of relatives of previous owners who, decades ago, have been dispossessed by the illegal regime, and may have found alternative housing and sources of income in the meantime? These are essentially moral questions, which inform the criteria of a legal test that balances the post-transition regime's political desire to enforce the invalidity of the illegal regime's acts with individual rights.

I have to admit that I found the lengthy discussion of the case studies in the different legal areas, while necessary for a clearer grasp of the issues, to be rather technical and tedious at times. Moreover, some discussions may not withstand the test of time, such as the Annan Plan for Cyprus, which was rejected in a referendum, and was replaced by an 'Obama' plan in 2014. Having gone through the cases, I am also wondering whether the policies applied by the post-transition regime, in respect to the relevant territories, were really informed by international law considerations, or just by political pragmatism instead. To be sure, some patterns may be discernible (which are very

intelligently discussed in the concluding part of the book), such as the upholding of the invalidity of treaties concluded by the illegal regimes and the wide-ranging validation of domestic legislation adopted by such regimes. However, it remains unclear whether these patterns also coalesce into legal principles that can sufficiently guide future practice, eg in case the Crimea—illegally annexed by the Russian Federation—ever returns to Ukraine. Nonetheless, Yaël Ronen should not be blamed for that. Ultimately, transitions from illegal regimes are so fraught by political sensitivities that the integrity of the law inevitably takes a back seat.

Cedric Ryngaert*

Transparency in International Law, edited by Andrea Bianchi and Anne Peters [Cambridge University Press, Cambridge, 2013, 642pp, ISBN 978-1-107-02138-9, £90.00 (h/bk)]

This collection of essays is the result of a research project exploring the role played by transparency in international law. Although the importance of transparency has been acknowledged in domestic law there has been scant exploration of the role of transparency in international law. Accordingly, the main objective of *Transparency in International Law*, edited by Bianchi and Peters, is to 'contribute to the understanding of transparency's potential as a general concept or norm, and its relevance to the international legal system'.

Bianchi and Peters chose not to specify a compulsory definition or analytical framework, and instead allowed contributors to frame and analysis transparency within their respective fields. This has resulted in a varied collection of scholarship that considers, from within different international law domains, the framing and content of transparency from practical and theoretical standpoints.

The book is structured by reference to six subject areas: international environmental law; international economic law; international health law; international human rights law; international humanitarian law; and international peace and security law. A seventh part explores cross-cutting issues: transparency in international law-making and international adjudication; transparency and business in international law; and formal transparency policies in global governance institutions.

As editors, Peters and Bianchi successfully navigate through the comprehensive discourse of the contributions to highlight commonalities and establish support for their argument that, although transparency may not (yet) have achieved the status of hard law in the international domain, it is an important emerging norm of international law. In establishing this argument, various thought-provoking justifications emerge that are summarized carefully in Peters' concluding chapter. However, the two findings detailed below perhaps pave the way for the conclusion that while transparency is not yet crystallized as 'hard law', it may have an interstitial role.

First, transparency has both an instrumental and an intrinsic value. For example, transparency can be used to increase the accountability of governance (as noted by Hinojosa Martínez) and is linked to other principles such as participation (as noted by Klaaren and Creamer and Simmons), reasoned decision-making, legality, legitimacy (Brunnée and Hey argue that transparency mechanisms serve to foster input and output legitimacy), accountability and confidence-building (see Sossai).

Peters also notes the concept of transparency is intrinsically 'bound up with values such as democracy, rule of law, integrity and trust'. Again this is supported by contributors: Cottier and Temmerman state that transparency is a fundamental principle of democracy; Sossai states that transparency within the disarmament regime can encourage democratic oversight and public scrutiny; and Ben-Naftali and Peled detail the detrimental consequences of automatic secrecy (democratic and enforcement deficits, and a lack of respect for the rule of law).

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