

## Sovereignty and Status in East Asian International Relations

by Seo-Hyun PARK. Cambridge: Cambridge University Press, 2017. x + 212 pp. Hardcover: USD\$105.00; Softcover: USD\$29.99; eBook: USD\$24.00. doi: 10.1017/9781316856420

Salamah ANSARI

Indian Institute of Management Kozhikode, Kerala, India

Unprecedented contestations about sovereign autonomy constitute the underbelly of all international relations in the contemporary globalized system of international trade. This book by Seo-Hyun Park comprehensively provides empirical and, more importantly, theoretical insights into the debates surrounding sovereign autonomy in the East Asian context. While TWAIL scholars have frequently engaged with hierarchy in the international order and its manifestations in international law, this book is a fresh attempt at analysing hierarchy in the East Asian region. The author has worked extensively at the University of Tokyo, Japan and at Yonsei University, the Republic of Korea. Presently, she is a faculty member at the Department of Government and Law at Lafayette College, and her research has consistently engaged with state sovereignty with a regional focus on East Asia. Through a historical account of East Asia spanning the pre-modern era to the post-war era, the book scrutinizes how hierarchy endures as a source of world politics. This book also contributes towards the understanding of nationalism and ideational attachment as both outcomes as well as sources of the functional delineation of territorial boundaries.

Premised on works like Benedict Anderson's *Imagined Communities* that deliberate the origin and spread of nationalism in post-modern societies, Park analyses the implications of sovereign autonomy as a modern security concept of regional and international hierarchy. The book employs Reinhart Koselleck's conceptual approach of analysing the embedded role of language and vocabulary in the socio-historical context. Additionally, it refers to another major work, David Kang's *East Asia before the West*. The basic understanding of sovereign autonomy in the East Asian region is influenced by the introduction of the legal concept of the Westphalian State in the late nineteenth century. As an imported concept, Japan and South Korea employed the notion of the Westphalian State differently to negotiate their relationship with each other and with the United States. While East Asia as a geographical unit shares history and knowledge of international hierarchy that was primarily remodelled after the institution of the Bretton Woods Organizations, this hierarchy is further reproduced at the domestic level.

Chapter 1 provides the basic theoretical arguments for the empirical analysis presented in the subsequent five chapters. In Chapters 2 and 3, the author traces how sovereign autonomy has always been a dilemma in the East Asian region. Coupled with the introduction of this region in the international global order, the status-seeking approach found a permanent place in all strategic alliances. Chapter 4 makes an earnest attempt to situate the endurance of sovereign autonomy in the Cold War era and links it to premodern East Asia. Hierarchy existed then, albeit not in its present form, and the language of sovereign autonomy, which was a modern concept, was unlike Sinocentric regional hierarchical contestations. Chapter 5 provides individualized accounts of several political leaders and how they negotiated

<sup>†</sup> This article has been updated since original publication and the error rectified in online PDF and HTML versions. A notice detailing the changes has also been published at <https://doi.org/10.1017/S2044251322000078>.

sovereign autonomy to secure strategic alliance objectives. It is during these times that support for the notion of self-reliance gained momentum both in Japan and South Korea. Chapter 6 is dedicated to the years between 2000 and 2010, when pro-autonomy anti-American mobilizations were at their peak. However, these mobilizations were more in response to American foreign policy and not so much about evolution of nationalistic policies in East Asia. The final section concludes with the argument that sovereign autonomy has always been a contested concept in East Asia, and integration into the international hierarchy has turned it into an important tool for negotiating strategic alliances. External validation from international actors is coveted and political leaders in turn compete against each other within the East Asian region, contributing to the region's typical endurance. Achieving maximum possible sovereign autonomy reverberates in most domestic political debates on foreign policy, and the rhetoric of state sovereignty is used to both strengthen and dispute alliance ties with the United States.

doi:10.1017/S2044251321000461

## **General Principles as a Source of International Law: Art 38(1)(c) of the Statute of the International Court of Justice**

**by Imogen SAUNDERS. Studies in International Law Series. Oxford, Great Britain and Sydney, Australia: Hart Publishing, 2021. xiv + 285 pp. Hardback: £85.00; eBook: £76.50. doi: 10.5040/9781509936090.0004**

P. Sean Morris

University of Helsinki, Helsinki, Finland

Do different legal systems matter when it comes to General Principles? Do religious or Asian legal systems provide a different way of thinking about General Principles of international law? Do chthonic legal systems used by indigenous societies provide a better way of identifying General Principles? These are some of the questions that this provocative book helps to illuminate. The book further argues that General Principles have a global dimension. In order to account for some of the shortcomings in the present formation of General Principles, a new model and fresh perspectives are required to understand the historical evolution of General Principles. The prognosis by Saunders is that different legal systems need to be considered in order to fully diagnose General Principles, and that the full utilisation of those legal systems is warranted. This is a book with a thoughtful and lively narrative; Saunders' account is readable and offers a new way of understanding and appreciating General Principles.

Readers are first introduced to a tetrahedral framework as a model for General Principles, which is a framework that deals with the function, type, methodology, and jurisprudential legitimacy of General Principles. Based on this framework, sometimes referred to as an "artificial exercise" (p. 20), Saunders delves into how international courts and tribunals, such as the Permanent Court of International Justice (PCIJ), the

<sup>†</sup> This article has been updated since original publication and the error rectified in online PDF and HTML versions. A notice detailing the changes has also been published at <https://doi.org/10.1017/S2044251322000078>.