televisions, telephones, game consoles, and networked computers" (p. 175). This does not replace the influence of parents, and does not eradicate the Oedipus complex; it just makes the complex more complex (p. 180).

Chapter 9 deals with the issue of intellectual property rights, especially those connected with recorded music and films, and the difficulty of defending those rights when digital audio and video content is stored on networked computers. Poster takes a strong stand in favor of everyone's rights to share cultural material digitally and in opposition to the efforts of the recording and film industries and their allies to protect existing revenue streams by proposing new laws to prevent file sharing. He belittles the arguments of the recording and film industries that intellectual property laws need to be enforced in order to create an incentive for creative and innovative activity. He claims that these industries are just protecting their own income streams and their control over artifacts created by others. He suggests instead that we "must invent an entirely new copyright law that rewards cultural creation but also fosters new forms of use or consumption and does not inhibit the development of new forms of digital cultural exchange" (p. 209).

Chapter 11 focuses on the theories of Michel de Certeau about the complexity and importance of consumption in postmodernity. Poster argues here that markets for noncultural commodities are or should be different from markets for cultural artifacts. In the former, the distinction between producers and consumers remains stable, whereas in the digital age, the distinction between producers and consumers of cultural goods is eroding: "In blogs, massively multiple online games, and peer-to-peer file-sharing programs, consumers are transformed into users, creating content as they download it" (p. 249). Better examples would be the networked collaboration that produces encyclopedia entries to Wikipedia, amateur videos on YouTube, or remixes of digitized audio tracks made available on Websites by performers. The point is that cultural markets should be regulated in such a way as to protect the sharing that is essential to innovation.

There is a brief and somewhat pessimistic concluding chapter that contrasts the liberating potential of digital technologies with the potential for greater central control (governmental or corporate) that may result from the erosion of the private–public divide. This argument is similar to that contained in Lawrence Lessig's book, *Code and Other Laws of Cyberspace* (1999). I was surprised that this chapter did not return to the earlier themes of human–machine coupling, but I suppose that theme is implicit in the argument about the liberating potential of digital technology.

To summarize, this is a far-ranging and complicated book on a very important subject (the social impact of digital technology) by a major critical political philosopher. It breaks new ground in a number of areas and

provides some excellent criticisms of a variety of approaches that are likely to lead (or already have led) to conceptual dead ends. It is not easy reading and requires a certain amount of patience to get through passages that are filled with philosophical jargon that you may be excused for promptly forgetting. Nevertheless, Poster has written a book with a lot of interesting ideas that I am certain will be read with profit by the growing community of scholars trying to get a handle on the politics of cyberspace.

Peaceful Resistance. Advancing Human Rights and Democratic Freedoms. By Robert M. Press. Aldershot, UK: Ashgate Publishing, 2006. 227p. $99.50.

The New Transnational Activism. By Sidney Tarrow. Cambridge: Cambridge University Press, 2005. 258p. $55 cloth, $19.99 paper.
DOI: 10.1017/S153759270707140X

— Hans Peter Schmitz, *Syracuse University*

Two new books argue that recent claims asserting the power of transnational activism have overstated the influence of those external forces. Robert Press uses the case of Kenya to show that a domestic *culture of resistance,* not donor pressure or transnational activism, set the nation on a path toward democratization during the late 1980s and 1990s. Sidney Tarrow takes a more subtle approach by reminding us how exceedingly difficult it is to create and maintain transnational coalitions for social change in the first place. Whereas Press pits domestic against international factors, Tarrow incorporates both, theorizing a set of transnational processes to elaborate the opportunities and challenges of organizing for social and political change across borders.

Press combines an agency-centered social movement framework with an empirically rich case study of Kenya's modern political development. The book advances its core arguments chronologically and views political change in Kenya primarily as the result of an expansion of individual and organizational activism (Chapters 3 and 4) and mass public protests and resistance (Chapters 5 and 6). The evidence for his core claims is based on roughly 70 interviews, archival work, and secondary literature. The study does not systematically evaluate competing international and domestic accounts of regime change. Instead, Press is content with describing in detail the domestic mobilization against the former Moi regime. The reader becomes familiar with the specific actions taken by domestic activists, but learns little about the comparative influence of external and internal forces, let alone the interactions between them in supporting or undermining regime change. This stands in stark contrast to the actions of the very "domestic" activists who framed their grievances in a universal human rights language (just as their predecessors during the 1950s and

1960s fought the anticolonial struggle based on the universal idea of nationhood).

By taking a mutually exclusive view of domestic and international forces, Press not only misses an opportunity to tell an intriguing transnational story of political change in Kenya, but also remains indifferent to the potential harmful effects of transnational activism and the divisions within the ruling elites (Stephen N. Ndegwa, "Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenyan Politics," *American Political Science Review* 91 [no. 3, 1997]: 599–616). There is little analytical room in *Peaceful Resistance* to explore the unintended consequences of donor policies promoting *good governance* or transnational activism supporting a specific interpretation of the global human rights discourse. When donors shifted their financial support to the very "domestic" nongovernmental organizations (NGOs) that Press views at the forefront of organizational activism, the ambiguous effects of such support remain largely unexplored. Thus, the question is not if the domestic or the international matters more (or at all), but what kinds of interactions (or *processes* in Tarrow's words) across borders produce what types of political outcomes.

The international system and transnational activism provide constraints and opportunities for a wide array of domestic actors, including repressive governments. Clifford Bob has shown in *The Marketing of Rebellion* (2005) how external actors can manipulate the demands expressed by domestic activists. Authoritarian governments themselves can use external activism as a mobilization platform, for example, when President Moi regularly referred to global human rights groups as representatives of neocolonialism. Finally, many of the domestic human rights NGOs in Kenya emerged or changed in response to external incentives and translated the global discourse on human rights into an effective tool in the hands of specific ethnic groups (such as the Kikuyu) seeking to control state power (see Table 4.2, p. 106 for a telling ethnic breakdown of Kenyan activists during the 1990s). Thus, it is surprising that Press does not build on Stephen Ndegwa's groundbreaking study, *The Two Faces of Civil Society* (1996), which goes a long way in clarifying the conditions under which specific civil society organizations (in Kenya) become effective agents for political change. Engaging Ndegwa's claims with an assessment of the external democracy and human rights promotion efforts directed at Kenya would have provided a more compelling story about how Kenya's political development was shaped by a set of external and internal forces also familiar to many other national experiences during the 1990s.

Tarrow's approach in the *New Transnational Activism* is appropriately skeptical of the power of transnational actors, but focuses on *why* such mobilization across borders is difficult to organize and certainly not a natural response

to what many would call processes of globalization. Unlike Press, Tarrow initially suspends his skepticism about the power of transnationalism and embarks on identifying the actual processes that have emerged to link the domestic and the international. Tarrow builds on his previous collaborative work with Doug McAdam and Charles Tilly (*Dynamics of Contention,* 2001) that is designed to "overcome the distortions of excessive voluntarism and excessive structuralism" (*Peaceful Resistance,* p. 14, n. 32; here Press cites an e-mail exchange with Tarrow in November 2005) that is inherent in much of the traditional social movement literature. The *New Transnational Activism* adopts the concept of *contention* to move beyond comparing seemingly similar events (e.g., revolutions, strikes, ethnic violence). Instead, Tarrow proposes to focus on processes that activists use to link domestic causes and international institutions or symbols.

Tarrow's first claim is that transnational activism is not a reflex response to *globalization* per se, but thrives in specific issue areas characterized by a high degree of *internationalization,* or the increasingly dense relationships among states, intergovernmental organizations, and nonstate actors (p. 8). The book is organized around six core transnational processes, labeled *global framing, internalization* (domestic), *diffusion, scale shift* (linking domestic arenas), *externalization,* and *coalition forming* (international). For Tarrow, the last two have the greatest potential to form a basis for truly transnational social movements. *Rooted cosmopolitans* are the core agents of the new transnationalism because they embody the essence of the "learning they bring back to their own societies and the ties they have developed across borders" (p. 56). Although most cross-border interactions are short-term and limited, the successful transnational activist is rooted in strong *domestic* networks. For Tarrow, a transnational process such as *diffusion* signifies a "transfer of claims of forms of contention from one site to another" (p. 32), but does not necessarily give rise to sustained cross-border interactions or even the emergence of shared identities among different societal actors. Hence, Tarrow links distinct processes of interactions across borders with explanations for the success and failure of individual transnational campaigns.

In analyzing four different types of such transnational coalitions (p. 167), Tarrow views the antilandmines campaign as an emblematic case of a *campaign coalition,* which is characterized by an intense and long-term involvement of a cross section of transnational activists. By contrast, more short-term campaigns (*instrumental* and *event coalitions*) carry in his view the risk of falling apart before reaching sustainable results, whereas more routinized forms of cooperation (*federations*) frequently lack the ability to adapt to local differences and may not be able to mobilize their membership (p. 179).

The NGO coalition against landmines shares many characteristics of Tarrow's instrumental and event coalitions

and exhibited significant variation in the level of participation among its members. More generally, Tarrow's taxonomies provide a useful first cut, but likely overlap in describing a given transnational campaign. Second, activists tried to model a similar campaign against small arms but have failed to get close to the outcome of the landmines campaign. The reasons are not so much related to the campaign itself, but to the framing of the issue and the presence of countervailing mobilization. Although landmines always represented an inherent challenge to the civilian protection expressed in international humanitarian law, framing small arms in a similar way was met with significant resistance, including civil society actors such as the National Rifle Association. So while a process-oriented analysis of transnationalism is more dynamic than the previous emphasis on static opportunity *structures,* Tarrow's analysis fails to extend its contentious perspective to the discourses within and across civil society actors.

Peaceful Resistance upholds the fiction of the "domestic" and misses the opportunity of assessing the ambiguous effects of the transnational politics of democracy promotion. *The New Transnational Activism* is also skeptical about the power of the transnational, but contributes to our understanding of those processes by linking the success of transnational organizing to variation in the processes establishing connections across borders and between societies. It is now time to develop more rigorous research designed to assess the effectiveness of transnational organizing and to understand transnational activist networks themselves as sites of intense political contention.

Politicizing the International Criminal Court: The Convergence of Politics, Ethics, and Law. By Steven C. Roach. Lanham, MD: Rowman & Littlefield, 2006. 213p. $75.00 cloth, $26.95 paper.

— Michael J. Struett, *North Carolina State University*

No political scientist predicted that the world would witness the establishment of an International Criminal Court (ICC) by 2002, and as of yet, there are few compelling explanations for this phenomenon. Steven Roach addresses the next set of questions that the ICC raises for political scientists, namely, how it will impact international political outcomes, and how it will be forced to cope with pressures from states and other actors. Roach's work is an important first step toward a political understanding of the role of the ICC in world politics and demonstrates political scientists' growing interest in international law.

Roach has a political view of the imposition of international criminal law that may disturb legal purists, but for political scientists it should be natural. Chapter 1 develops an elaborate and useful conception of the politicization of the ICC, distinguishing between external and internal politicization. Under the former label, the author

offers a careful discussion of the possibility of geo-political manipulation of the ICC by powerful Western states. He makes clear that this includes both states that seek to use the court to end war crimes, and/or (more ominously) to manage global order (the European Union), and states that seek to block the effectiveness of the court (the United States). The internal dimension refers to the need for the officers of the court, including especially the prosecutor, to act in politically sensitive ways to build the authority of the court over time. Roach develops the concept of political legalism (p. 8) to steer a path between radical critical theory and legal formalism. For him, this political legalism approach to the work of the ICC is not just a description and prediction but also a normative recommendation about how court officials ought to carry out their work. With his concept of political legalism, Roach addresses two questions in the book: whether or not the ICC can continue to evolve as an effective political actor for criminalizing international violence and whether we can understand the ICC as being constitutive of a new global political order (p. 9).

After a succinct history of major developments in international criminal law from the 1899 Hague Conference to the Rome Conference in 1998, Roach turns to an analysis of the ICC's legal structure. Chapter 2 explains how the ICC's automatic jurisdiction based on the territoriality principle provides a useful alternative to the universal jurisdiction theory of international criminal law, because it avoids some of the tensions between international criminal prosecutions and state sovereignty that would be inherent in a system based on the universal jurisdiction idea (p. 41). Legal scholars will likely be unsatisfied with some of the analysis of the Rome Statute. For instance, Roach offers an odd summary of Article 17, which lays out the crucial complementarity rules regarding when a case is admissible before the ICC if it has already been dealt with in a national legal system. He suggests that the ICC has the authority to take a case when a national proceeding has been biased against a defendant, presumably leading to a false conviction (p. 42). But in fact, the main intention of this article is to ensure that guilty parties would not escape judgment, not to give the ICC the power to review overzealous prosecutions in national courts. A direct reading of Article 17.2 would suggest that such a case is not even admissible before the ICC. This and several other odd legal interpretations, including the discussion of Article 98 agreements (pp. 124–26) and the claim that Arab states will have to follow the ICC rules of procedure in their national legal systems (p. 140), are the main weaknesses of the book. Still, these problems do not fundamentally detract from the project of applying political theory and international relations theory to understand and predict the tensions that will arise in the court's work.

In Chapters 4 and 5, Roach raises the profound question of the potential of the ICC to contribute to the