

given the Non-aligned Movement's regular insistence on a restrictive interpretation of the laws of war¹⁵—they have very real political and economic reasons for not antagonizing the United States by airing their rejection publicly. Their silence, therefore, cannot be interpreted as assent.

In short, although Jones is on solid ground when he emphasizes the need to pay attention to how international law produces violence, there are issues with each of the central theses in his book. As this review has attempted to show, interpretation of the laws of war is constrained by the community of states as an interpretive community; military lawyers “legislate” primarily as a matter of policy, not law; and idiosyncratic interpretations of the laws of war offered by the United States and Israel have not had—and are unlikely to have—a significant effect on customary international law. Those criticisms, however, are intended not as rebukes of Jones's book, which is superb, but as gentle correctives to it. No scholar to date has provided such an innovative and compelling account of the emergence of operational law in the United States and Israel. And as more states turn to operational law, Jones's account will only become more important over time.

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BOOKS RECEIVED

International Law—General

Daniel, Kobina Egyir. *Head of State Immunity Under the Malabo Protocol: Triumph of Impunity Over Accountability?* Leiden;

¹⁵ See, e.g., Statement by H.E. Mr. Gholamali Khoshroo, Ambassador and Permanent Representative of the Islamic Republic of Iran, on behalf of the Non-aligned Movement Before the Sixth Committee of the 70th Session of the United Nations General Assembly (Oct. 12, 2015), available at https://www.un.org/en/ga/sixth/70/pdfs/statements/int_terrorism/nam.pdf.

Boston: Brill Nijhoff, 2021. Pp. xix, 497. Index.

Ginsburg, Tom. *Democracies and International Law*. Cambridge, UK: Cambridge University Press, 2021. Pp. xvii, 329. Index.

Hilaire, Max. *The Evolution and Transformation of International Law: Developments in International Law, from the Peace of Westphalia to the Post-United Nations Charter*. Berlin: Logos Verlag, 2021. Pp. 295.

Höhn, Christiane, Isabel Saavedra, and Anne Weyembergh (eds.). *The Fight Against Terrorism: Liber Amicorum Gilles de Kerchove*. Belgium: Bruylant, 2021. Pp. 1086.

Orford, Anne. *International Law and the Politics of History*. Cambridge, UK: Cambridge University Press, 2021. Pp. xii, 382. Index.

Tladi, Dire (ed.). *Peremptory Norms of General International Law (Jus Cogens): Disquisitions and Disputations*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xiii, 792. Index.

International Tribunals

De Villiers, Bertus, et al. *Litigating the Rights of Minorities and Indigenous Peoples in Domestic and International Courts*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xvi, 279. Index.

Use of Force & Humanitarian Law (Law of War)

Hirsch, Francine. *Soviet Judgment at Nuremberg*. Oxford, UK: Oxford University Press, 2020. Pp. xvii, 536. Index.

Richmond, Sean. *Unbound in War? International Law in Canada and Britain's Participation in the Korean War and Afghanistan Conflict*. Toronto; Buffalo: University of Toronto Press, 2021. Pp. ix, 274. Index.

International Investment

Eftekhari, Reza. *The Role of the Domestic Law of the Host State in Determining the Jurisdiction ratione materiae of Investment Treaty Tribunals: The Partial Revival of the Localisation Theory?* Leiden; Boston: Brill Nijhoff, 2021. Pp. ix, 408. Index.

Schacherer, Stefanie. *Sustainable Development in EU Foreign Investment Law*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xvii, 455. Index.

Law of the Sea & Maritime Law

Chircop, Aldo, et al. (eds.). *Ocean Yearbook 35*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xlv, 823. Index.

Zou, Keyuan, and Anastasia Telesetsky (eds.). *Marine Scientific Research, New Marine Technologies and the Law of the Sea*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xvii, 259. Index.

Human Rights

Guangjin, Lu, and Zhang Wei (eds.). *The South-South Dialogue on Human Rights*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xvii, 365. Index.

Environment & Natural Resources

Foster, Caroline E. *Global Regulatory Standards in Environmental and Health Disputes*.

Oxford, UK: Oxford University Press, 2021, xxx, 375. Index.

Xu, Xiangxin. *Responsibility to Ensure: Sponsoring States' Environmental Legislation for Deep Seabed Mining and China's Practice*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xvii, 289. Index.

Air & Space Law

Marboe, Irmgard (ed.). *Legal Aspects of Planetary Defence*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xxxi, 426. Index.

Treaty Law

Morelli, Antonio. *Withdrawal from Multilateral Treaties*. Leiden; Boston: Brill Nijhoff, 2021. Pp. xxvii, 266. Index.

Regional, Foreign, & Comparative Law & Politics

Kutnjak Ivković, et al. (eds.). *Juries, Lay Judges, and Mixed Courts: A Global Perspective*. Cambridge, UK: Cambridge University Press, 2021. Pp. xii, 366. Index.