

especially as regards state consent, so that they understand that the treaty regime has not been subject simply to the whims of any superpowers or the result of an undue influence of a group of “angry” developing nations. As head of the Singapore delegation and later elected the President of the United Nations Law of the Sea Conference 1981–2, Professor Koh had the opportunity to deal with numerous delegates from around the globe with their diverse and often conflicting priorities, various private and secret interest groups, non-state actors, the collegium, and the secretariat. It takes, among other things, a master negotiator, a seasoned diplomat, and a legal scholar to bring all the diverse proposals on the table, facilitate discussion on the merits of those proposals and help reach an agreement without resorting to voting. Several times in the book, Professor Koh highlights the knowledge, skills, and techniques he and his colleagues employed to make the negotiation work, underscoring the lessons learned, and outlining what worked and what did not. The final product of the negotiation was a massive treaty adopted by a great number of states that brought certainty in ocean governance and reduced the risk of conflicts in international relations. Another significant feature of the book is Professor Koh’s authoritative and helpful commentaries on several UNCLOS provisions and related matters that are rather unclear, which will benefit both scholars and practitioners.

Finally, the editorial decisions in organising the manuscript could have been better in some areas. For example, the repetitive coverage of topics such as the breadth of the territorial sea, the regime of transit passage over straits used for international navigation, and the regime of the exclusive economic zone was a little discomfiting. I understand, however, that this occurred partly because the book is a collection of Professor Koh’s previously published materials. Also, over and above the existing chapters, a freshly written essay by Professor Koh putting UNCLOS in the perspective of the latest developments pertaining to the impacts of climate change on ocean governance would have been useful. As a mastermind of the Convention, his views on the interaction between the two regimes—UNCLOS and climate change—could have been very timely and relevant.

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#### OTHER AREAS OF INTERNATIONAL LAW

## A Legal Analysis of the Belt and Road Initiative: Towards a New Silk Road?

edited by **Giuseppe MARTINICO** and **Xueyan WU**. Switzerland:  
**Palgrave MacMillan** as part of **Springer Nature**, 2020. **xiii + 284 pp.**  
**Hardcover: €119.99; Softcover: €84.99; eBook: €71.68.**  
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In the last half-decade, there has been considerable interest in the “Belt and Road Initiative” (BRI) in the international relations (IR) academia with its characterisation as

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the Chinese version of globalization. However, there has not been the matching significant international law attention. Moreover, the criticism stemming from Western IR scholars seems to have taken a more critical stance, generally lampooning the BRI as a geopolitical trap initiated by the People's Republic of China. Yet, such arguments are akin to Sinophobe statements devoid of legal analysis. The above book edited by Italian public law academic Giuseppe Martinico and Chinese international law academic Xueyan Wu is a timely work, and we praise the fine selection of its contributors as they represent both the West and China and raise the possible legal complexities in implementing the BRI.

In addressing the question, whether the BRI is a Chinese portrayal of its global governance, the first two chapters present an appealing analysis of the future of China's global governance. In particular, the chapter by Qingjiang Kong and Ming Du is a stark criticism of the US-dominated world financial institution system, describing the BRI as China's grand strategy of globalization that would nurture shared interests (p. 19). Lorenzo Zucka then contrasts the two global orders of the West and China from a global constitutional theory perspective by unfolding the defective elements of orthodox global order under the US hegemony. While critiquing the flows of the orthodox global order that emerged after the Second World War, Zucka aptly introduces China's alternative global governance mode as an intrinsic system emanated from Confucian philosophy, which embraces the ancient Chinese concept "Tianxia" or the harmonious co-existence (p. 29), this chapter being a nascent eye-opener for constitutional theorists to initiate deeper academic inquiry.

Another striking feature of this work is that it has made a considerable effort to unfold the Chinese concept of rule of law and how it functions in the BRI. Given the wider scepticism existing among the West toward China's interpretation of rule of law, the two chapters authored by Yongmei Chen and Henrik Anderson affirm the rule of law mechanism adopted by the BRI as a continuation of the existing international trade law principles, Anderson's chapter especially reflects a benign sense of optimism as he praises the BRI's potentiality to contribute to the international rule of law if there is a political will (p. 126). Nonetheless, both chapters on rule of law have missed the pertinent point of China's geopolitical strategy behind the veil of the BRI, which inevitably stands firm beyond the ostensible depiction of Beijing's commitment to the rule of law. For example, the Chinese owned Port City project in Colombo has challenged Sri Lanka's legality over its own territory, which is a palpable case that refutes Anderson's sanguine hope of the BRI's firm commitment to the rule of law.

Shisong Jiang's chapter focuses upon the network of cities connected by the BRI and discusses the emergence of such cities as a pivotal factor in the 21st-century transformation of international law from its state-centric position. He further suggests that the BRI's approach to cities is a "potential candidate" to compete with the US-led liberal approach to international law (p. 243), and discusses China's hesitation towards Western-oriented international law from a civilizational perspective.

The subsequent chapters aptly deal with the issues relating to commercial mediation, intellectual property rights and overseas investments in the BRI. Notwithstanding the critical discussion generated by the contributors, the book editors have not presented a coherent picture of the underlying value of this edited volume for the legal academia. The introductory chapter remains short as a chapter written in great haste. Also, the editors have not divided the book into separate sections devoted to specific themes, which gives a perplexing reading experience to the general reader. Indeed, gaining a comprehensive, in depth understanding of China's approach to international law is not an easy task, thus, these minor drawbacks do not diminish the value of this book as a timely contribution that seeks to address the BRI from a legal point of view.