

unanswered puzzles. Stirk has pushed open the door to a larger set of research questions, which I hope he tackles or inspires others to pursue. There are at least three questions that arise from his discussion. Most of these questions stem from the book's narrow focus on international jurisprudence, and not the larger questions that interest most students of international relations theory. Such a criticism does not mean that the book is without value. On the contrary, his study forces readers to confront issues beyond the scope of his work.

The first unanswered question is concerns the conditions under which occupiers have found themselves hampered or their hands tied by international law? Throughout his survey of the historical record, some occupiers follow the "rules" more than others do. Perhaps the answer lies somewhere with the interests, identity, or the regime type of the occupier. The variation in compliance with international law suggests an interesting puzzle for further research. This puzzle also points to larger debates in international relations theory about the power of international norms either to constrain or to constitute the identities of the same states embarking on military occupations.

A second and related question is: Who defines the laws of occupation? Many scholars, especially realist ones, would contend that powerful states define international law. If the great powers define the legal standards of military occupation, then perhaps they see ambiguity in their interests. Any occupier, even one with noble intentions, might not want to tie its hands, since circumstances can change. Legal ambiguity, then, could prove too valuable for occupiers that want or might need the freedom to alter the terms of a military occupation.

Finally, would international recognition of military occupation as a form of government decrease resistance to foreign rule? This last question remains the most important challenge facing foreign occupiers. David M. Edelstein's excellent study *Occupational Hazards: Why Military Occupations Succeed or Fail* (2008) gives strong reasons to believe that simply resolving international legal issues will do little to dampen the nationalistic motivation of the occupied to resist foreign rulers. Stirk's book, in fact, says very little about how international law directly shapes the attitudes and behavior of the occupied.

These questions aside, this detailed study of military occupation and international law tackles a timely subject, which is important to scholars and practitioners alike.

Cosmopolitan Regard: Political Membership and Global Justice. By Richard Vernon. New York: Cambridge University Press, 2010. 232p. \$78.00 cloth, \$30.00 paper.
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In the late 1990s and early 2000s, the rise of globalization and an evolving human rights regime inspired a prolifer-

ation of work dedicated to cosmopolitan theory. Attention to the concept of cosmopolitanism never completely waned, but the muscular foreign policy of the Bush years and the reemergence of assertive nation-states such as China led to a sense that the cosmopolitan moment had passed. In 2011, however, with a rising interest in the international "responsibility to protect"—most recently cited in the case of Libya—and continuing debates over the global threat of climate change, cosmopolitan concerns are back in the ascendant. In this context, Richard Vernon's book is poised to make an important contribution to debates over the moral foundations of cosmopolitanism.

The international community assumes a responsibility to assist the victims of disaster or violent conflict when their own states cannot or will not do so themselves. This commitment is based upon international law and current understandings of international peace and security. But one might ask why should citizens—in the United States, Japan, South Africa, or elsewhere—feel a moral obligation to assist victims in a far-off land in the first place? Why should we sacrifice to provide support for such endeavors? *Cosmopolitan Regard* tries to answer that question, to provide a "ground-level principle" to guide debates about these matters (p. 181).

Vernon's argument develops out of a reformulated social-contract view of civil society. He argues that "national societies [are] justified, not as sources of moral experience, nor as embodiments of intrinsic associative value and meaning, but as a way of protecting human persons from dangers to which they are commonly vulnerable" (p. 196). To exit the dangers of the state of nature, people enter into civil society to protect themselves, giving up some element of natural freedom in the process. This is familiar ground, but what is novel here is that the author uses the social contract starting point to argue for the necessity of political obligations beyond the nation-state.

Vernon argues that cosmopolitan duties are political obligations that "are as binding as our obligations to other citizens, for they are sustained by the same considerations of political morality" (p. 208). We form separate societies as a way to best address the challenges of common dangers, but we can justify our own exclusive political arrangements only "if other societies can, likewise, seek their own best solutions to the balance of risks and benefits in political association, and give special weight to their own shared and exclusive interests in doing so" (p. 194). That is, if we assume the equal moral worth of all human beings, the exclusiveness of our own social contract is only justifiable if others have the right and capacity to form similar contracts. And Vernon argues that this not only implies a duty to avoid impeding others from forming effective political units; it also implies a duty to provide them with support when needed.

The author addresses the consequences of this view with regard to three practical issues: humanitarian intervention, international criminal law, and something he calls the "global

harm principle,” which relates to economic policy. On humanitarian intervention, he argues, our “responsibility to protect” people in need beyond our borders comes from our right to exclude them from the benefits of living within our own society. According to Vernon, “citizens of successful societies can justify their own enjoyment of benefits only if they are willing to go to the aid of the victims of failed or abusive states” (p. 138). A similar logic commands his argument about why people should support the creation of international legal structures to hold individuals responsible for committing atrocities (p. 143).

While Vernon’s discussion of humanitarian intervention and international criminal law entails positive arguments for action and support, his discussion of global economic policy entails a negative “duty not to impede” (p. 167). If in part we base the legitimacy of our own economic flourishing on the opportunity of others to do the same, then at the very least we should not impede others in pursuing self-benefiting economic policies. Global justice demands a type of economic Hippocratic Oath: First, do no harm.

Much of the discussion in the chapter on the “global harm principle” revolves around how to define “harm” in this context. For example, one might ask: Where in the economic sphere does healthy competition cross the line to harmful action? The discussion is detailed and relies on an analysis of a variety of alternative approaches, but it results in a somewhat equivocal conclusion. We learn toward the end of the chapter that “[t]he object has only been to explore where we end up if, impressed by the harm principle’s minimalist appeal, we attempt to globalize it” (p. 189). This is rather unsatisfying; one is left wishing for a stronger statement of commitment from the author, which brings me to my principal critique of the work as a whole. Ultimately, the argument is in many places quite minimalistic and seemingly safe. For example, on humanitarian intervention, Vernon concludes that “[t]he point of this discussion has only been to show that the appropriate allocation for interventionary assistance must be on the list of priorities that citizens dispute” (p. 139).

Vernon ambitiously sets out to reconcile the moral foundations of particular political membership with a cosmopolitan commitment to global justice, and within the frame of social contract theory he makes a compelling case. But the book is largely silent or frustratingly minimalist in relation to some of the toughest questions facing the world—and cosmopolitan theory—today. Part of this relates to the traditional social contract starting point. It still assumes a single, discrete, nation-bounded citizenry, rather than a multinational citizenry with multiple loyalties, or a transnational environment characterized by global processes, where inside and outside are no longer as clear as they once were. This is the world as defined by globalization. Vernon alternatively paints a picture of a “world of parallel social projects” with clear, static boundaries (p. 114).

Does this frame help us answer the tough questions faced by transnational societies? For example, on global justice, Vernon writes, “given the organization of the world into distinct political memberships, people suffer market effects as members of one society or another” (p. 176). This is true, in part, but “cosmopolitan regard” becomes most important for those people without effective political membership: the stateless, the internally displaced, the illegal immigrant fleeing desperate poverty, and so on. Does the exclusive focus on bounded state societies help us address their plight?

To be fair, the book does not claim to have all the answers, as no book should. *Cosmopolitan Regard* is a treatise on political obligation that endeavors to show how it should be understood to extend beyond the borders of the nation-state. And within the frame of ethical theory it does an effective job of making its case. It is a rich, well-structured book, and I have only scratched the surface here. Vernon’s method is to consider each possible approach in turn. He provides detailed analyses and critiques of a broad range of theorists, and he judiciously considers the possible responses to each of his arguments. This will no doubt make the book useful to teachers and students of cosmopolitan ethics for many years to come.

POLITICAL THEORY

Democracy Against the State: Marx and the Machiavellian Moment. By Miguel Abensour. Translated by Max Blechman and Martin Breagh. Malden, MA: Polity, 2011. 200p. \$64.95 cloth, \$22.95 paper.
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In recent years, interest in Karl Marx has centered on his critique of capital, of economic exploitation, and of market mechanisms. Few recent discussions of Marx have taken up his vision of a postcapitalist order, and of the political

processes by which societies might move in that direction. Concomitant with the decline of working-class movements and the political parties connected to them, as well as the collapse of statist communism in the former Soviet bloc, theoretical interest in the Marxian concept of socialism has experienced a precipitous decline. That intellectual space has been filled at one level by liberal discourses of democracy and civil society, and further to the left, by anarchism, sometimes tied theoretically to strains of poststructuralism.

The respected French political philosopher Miguel Abensour’s 1997 book, now translated along with his newer prefaces from 2004 and 2008, operates within this space,