Global Governance, Conflict and China
by Matthias VANHULLEBUSCH.
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China's rise has been a visible, yet somewhat puzzling, phenomenon to the world. During the ongoing global fight against the COVID-19 pandemic, China, with its more stringent national policies, has been relatively successful at virus containment compared to many Western counterparts. Moreover, the differences between the East and the West has been a persistent theme attracting great academic interest in many fields, but rarely has anyone been able to propose a balanced approach that can bridge the differences between the two to solve real-life issues. This book intends to address this gap, with a critical account of the current international law-making process. It ambitiously proposes a theory named the "Relational Normativity of International Law", calling for a paradigm shift of international law from a mere rule-based system to a rule-based system complemented by relational thought.

The theory notes the difference between Western and Eastern epistemologies, whereby Western epistemology is more likely to use abstract logic to isolate attributes of objects and to formulate general laws which become universally applicable. Individual objects' qualities and attributes are the foundation of this epistemology, being the virtue of dialectical reasoning. So too the development of international law, which is believed to be grounded on a universal view of legality and morality. However, Eastern epistemological thinking contextualizes an object within its surrounding environment as the starting point of analysis. The so-called Chinese "concrete cognition" means that one takes into account the environment in which an object is situated so as to define its features. The centrality of relationships become the cornerstone in this analysis. What captures Eastern philosophers is "relational thought" that sees the ever-changing and dynamic relationships between actors as the essence of society and acknowledges that their interests towards each other will influence their respective identities.

Drawing on this distinction, the author reveals an inherent conflict in the development of international law, which echoes similar critiques of Western centrism. By presuming countries as equal sovereign individuals, the norms of international law are developed upon states' consensus, which was, in the first instance, mainly built upon the practice of Western countries. Normative rules are both the means and the end. When more actors, often by gaining independence, make their debut on the international plane, it becomes necessary for them to accede to the existing understanding of norms/principles which are perceived to be universally applicable. Here lies the conflict. For countries like China, its reaction towards the building of international legal norms cannot, at least not always, be interpreted through a Western epistemology which highlights individualism. The pursuit of collective interests will inevitably be present in China's behaviour relating to the development of international relationships. The decision-making process therefore is largely guided by evaluating the level of "mutual trust" which is believed to be appropriate to sustain a lasting and sustainable relationship with other countries. This approach calls for taking international/regional relationship building as the starting point in order to give effect to the normativity of international law. The dynamics of countries' relationships should also influence the development of international legal norms, as well as their interpretation and application. In this regard, it is contended that modern China stands as a live example of two different converging epistemologies, Western and Eastern, into a country's practice of seeking economic growth without polarizing its society.

Overall, the book is rich in content and views, being both interpretative and constructive. There are, however, two minor drawbacks. First, the content, which is currently limited to China's presence on global conflict resolution, seems somewhat confined compared to the intended theoretical reach. It would have been more helpful if the author had extended his analysis to other areas of international law, for example global trade, investment, environment, etc., beyond the realm of conflicts, for better explication and proof of its theoretical significance. Second, the proposed theory seems to give noticeable credit to the work of Yaqing Qin, an international relationship scholar who developed the

theory of relational governance, both in explaining the trajectory of China's shifting foreign policy since 1949 and in justifying the proposed theory. Here, perhaps, the difference and delineation between the two theoretical works could have been better clarified.

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International Criminal Law

Amnesty, Serious Crimes and International Law: Global Perspectives in Theory and Practice
by Josepha CLOSE.
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Although the literature about amnesties is extensive, it is still extremely difficult to answer the question "Are amnesties legitimate and permissible if they cover serious crimes?", and this book attempts to fill that gap. The book deals with the topic in a comprehensive manner and succeeds in shedding new light on the wide variety of interpretations and positions regarding this tricky question. The author is a researcher in international law currently based in Liége (Belgium), and obtained her PhD at Middlesex University in London under the supervision of Professor Schabas.

Although the current (apparently) mainstream view holds that amnesties for international crimes and/or serious human rights [HR] violations are always impermissible, and that this has perhaps become a customary rule, such an assumption is often based on a too simplistic approach. The author scrutinizes it under two different and complementary perspectives.

First, the historical review in Part I of the book shows that, both in ancient and modern times (Chapter 1), almost all states made widespread use of amnesties. Beyond the differences as to their origins, scopes, and purposes, they were conceived as a legitimate sovereign prerogative. Even after World War II (Chapter 2), when the accountability paradigm emerged in the international arena, amnesties kept their pacification role in many experiences all over the world. They no longer entailed a duty of oblivion, like ancient amnesties, but they were still widely applied in both transitional processes and postwar contexts. This overview confirms that state and UN practice up until the 1980s and 1990s was much more flexible and nuanced as to the admissibility of these measures, despite the growing concern about their compatibility with HR protection and states' international duties (Chapter 3). The author identifies the turning point as the signing of the Lomé Peace Agreement in 1999, where, for the first time, the UN issued a reservation calling for the exclusion of serious HR violations from the scope of the amnesty that was at stake. But these chapters clearly show that the ban on amnesties for serious crimes is a very recent idea, as well as one that remains disputed.

Second, the book assesses the admissibility of amnesties from a legal perspective (Part II), conducting a thorough analysis of a huge number of normative provisions (which the author does by means of literal, authentic, and teleological interpretation rules), judicial decisions, and scholarly views, and combining it with a global study of practical experiences. She puts under scrutiny the two main grounds to affirm the invalidity of these measures, namely, the existence of an international duty to prosecute and punish (Chapter 4), and the victims' right to a remedy (Chapter 5).

I would point out two main elements stemming from this wide and careful analysis: first, the plurality of actors that have taken part in this debate, each of them offering a different view. This has created a sort of cacophony of voices, within which it is almost impossible to single out a clear and shared position. Second, the silence that has been kept, by both states and international and judicial bodies, at several opportunities where they could easily have established a prohibition of amnesties and yet have opted for a cautious position or to remain ambiguous on the point instead. These factors allow for the conclusion that the prohibition of amnesties has not yet reached the status of a