

law in actions is bigger than we previously thought. However, the beauty of the book's contribution is not limited to the contents of its information, but it also incentivizes further research and discussion in the corporate and securities law arena.

Charlie Xiao-Chuan WENG  
University of New South Wales

## REFERENCES

- Akerlof, George A. (1970) "The Market for 'Lemons': Quality Uncertainty and the Market Mechanism." 84 *Quarterly Journal of Economics* 488–500.
- Berle, Adolf A. Jr., & Gardiner C. Means (1932) *The Modern Corporation and Private Property*, New York: Macmillan.
- Bingham, Thomas H. (2011) *Rule of Law*, London: Penguin.
- Eisenberg, Melvin A. (1976) *The Structure of the Corporation*, Boston: Little, Brown.
- Goto, Gen (2017) "Growing Securities Litigation against Issuers in Japan: Its Background and Reality," in R. H. Huang & N. C. Howson, eds., *Enforcement of Corporate and Securities Law: China and the World*, Cambridge: Cambridge University Press, 416–443.
- Kraakman, Reinier H., John Armour, Paul L. Davies, Luca Enriques, Henry Hansmann, Gérard Hertig, Klaus J. Hopt, Hideki Kanda, Mariana Pargendler, Wolf-Georg Ringe, & Edward Rock (2017) *The Anatomy of Corporate Law: A Comparative and Functional Approach*, Oxford: Oxford University Press.
- Mason, Edward S., ed. (1959) *The Corporation in Modern Society*, Cambridge: Harvard University Press.
- McIntosh, Jeffrey (2017) "Securities Law Enforcement and the Rule of Law," in R. H. Huang & N. C. Howson, eds., *Enforcement of Corporate and Securities Law: China and the World*, Cambridge: Cambridge University Press, 288–311.
- McLucas, William R., Mark B Lewis, & Alma M. Angotti (1996) "Common Sense, Flexibility, and Enforcement of the Federal Securities Laws." 51 *Business Lawyer* 1221–39.
- Rakoff, Jef (2017) "The Financial Crisis: Why Have No High-Level Executives Been Prosecuted?" in R. H. Huang & N. C. Howson, eds., *Enforcement of Corporate and Securities Law: China and the World*, Cambridge: Cambridge University Press, 3–13.
- Romano, Roberta (2006) "The States as Laboratory: Legal Innovation and State Competition for Corporate Charters." 23 *Yale Journal on Regulation* 209–47.
- Skeel, David A. (2004) "Corporate Anatomy Lessons." 113 *Yale Law Journal* 1519–77.
- Skeel, David A. (2010) *The New Financial Deal: Understanding the Dodd-Frank Act and Its (Unintended) Consequences*, Hoboken: Wiley.
- Wang, Wenyu (2017) "The IPC Model for Securities Law Enforcement in Taiwan," in R. H. Huang & N. C. Howson, eds., *Enforcement of Corporate and Securities Law: China and the World*, Cambridge: Cambridge University Press, 454–475.

## Across Oceans of Law: The Komagata Maru and Jurisdiction in the Time of Empire

Renisa Mawani, *Across Oceans of Law: The Komagata Maru and Jurisdiction in the Time of Empire* (Duke University Press, 2018) pp 352. Paperback: \$26.00.

doi:[10.1017/als.2019.19](https://doi.org/10.1017/als.2019.19)

Renisa Mawani's *Across Oceans of Law* is a book that can be situated within two kinds of literature: (1) a reading of colonial and imperial history that re-centres the active, and dynamic, role "free seas" played in constituting the legal and jurisdictional histories with regards to colonized subjects; and (2) a theoretical and methodological intervention, derived from the materiality of oceans, that opens up new, critically significant avenues from which we can study immigration debates in both historical and contemporary conjuncture. For the latter, the book asks us to pose questions around the rights of immigrants, how to account for their histories, and the ways in which their actions simultaneously signify "domain of violence and a site of imagination" (p. 233). In contrast, the formers ask us to consider the historical development of imperial power, not through land, or in the author's words *terra firma*, but through the idea of free sea that enabled the establishing of legal and sovereign power. It is a history through which we meet people and become cognizant of events that allow the construction of an analytical framework that can be placed between the cracks and fissures of colonial rule from which the contemporary models of nation-states emanate.

The book begins with Gurdit Singh and *Komagata Maru*'s epic journey in 1914 across the Indian and Pacific Oceans to Vancouver, Canada. Both are subjects of inquiry in the book—in other words, placed at the eye of the storm that enables Mawani to establish a theoretical lens situated at the intersection of colonial and legal discourse. At the same time, the subjects for Mawani also signify entangled elements of colonial subjects' mobility and their resistance. Here, ocean as method allows the reader to grasp not just the specificity of this event, but also how the event retroactively introduces "distinct registers of racial and civilization superiority and inferiority" (p. 14). Mawani argues that our usual accounts of colonial legal histories remain confined to "land and territoriality," thus providing a spatial lens that is limited by its horizontal nature. This concept of space, a dominant one, can also be read as flat and empty. The introduction of oceans, and the history of "free seas," disrupts this by introducing verticality and asymmetrical relations to colonial order in which subjects exist in intersecting and overlapping temporalities. Additionally, ocean as a metaphor also allows the inclusion of motion, movements, and disruptions that the colonized subjects travelling on *Komagata Maru* simultaneously embody and get inscribed by.

Mawani's conceptualization of the free sea, by tracing the development of legal structures and technologies of the maritime world, provides a necessary gesture towards articulations of imperial power built by ordering the world in terms of new "spatial, temporal, and civilizational orders" (p. 35). *Komagata Maru* becomes not an isolated journey and an event, but rather illustrates the entangled webs of colonial jurisdictional power with uneven and exclusionary registers of governance. The subjects, then, are marked by and project these registers at the same time. At the heart of this articulation is a survey of the development of cartography, chronometer, Prime meridian, and so forth, as material symbols of imperial expansion and strength, reinforcing the ability to "measure, regulate, and delimit the uneven temporalities of global modernity" (p. 60). The world, simultaneously, becomes mapped and integrated as a space within and for imperial power. The colonized subjects, at the centre of this newly configured international governance, become placed within the asymmetrical space-time view of the world established by imperial power. This new viewpoint that

continues to be dominant, Mawani argues, was constructed on the erasure of Asian traders and seafarers who dominated the Indian ocean while cementing the position of British empire through its enhanced ability to navigate the open seas. Gurdit Singh and *Komagata Maru*, together, articulate and attempt to restore this alternate history in their present. This is the first gesture towards anti-colonial resistance that Mawani argues as integral toward studying contemporary debates on immigration jurisdictional powers.

The second gesture, travelling via materiality of the ship, grounds itself around the entwined nature of land/sea and its implication for the legal-sovereign power. Books's rich account makes us ask: what is the relationship between land and sea in terms of jurisdiction and how is a subject marked? Mawani argues that British imperial sovereignty was a "spatial and temporal composite of oceans, colonies, protectorates, and territories" (p. 117). These were ruled through "juridical and political arrangements" that were unevenly ascribed onto both ships and colonized people, as extensions of the sovereign. For instance, the passengers on *Komagata Maru* may have enjoyed similar rights in London and Calcutta. However, due to the uneven nature of international governance dealing with immigration restrictions and maritime regulations, these same subjects would get marked by a longer history of imperial and colonial legacy that operated on a temporal and civilizational asymmetry. In other words, these subjects become placed at the overlapping intersections of "vertical geographies and developmentalist histories" (p. 137). This is best accounted for Mawani in "Anticolonial Vernaculars of Indigeneity" where Gurdit Singh and the ship end up symbolizing the entangled realities of "diaspora, history, futurity, and indigeneity" (p. 153). Here, the passengers of the ship no longer simply represent the history of colonized subjects from one land-bounded territory; rather, their movement across Pacific is extended and becomes webbed with the indigenous people of Canada and anti-colonial sentiment through much of the world.

Ocean, when taken as a theory and metaphor, lends its materiality to conceptualize the various competing registers of indigeneity. Mawani points out the ways in which these registers, emanating from the "native" and "aboriginal" legal discourse in South Africa to the European settler in Canada as "native" and the already existing indigenous population, come to the fore. This reality provides an "out of joint" (p. 170) time in which "the aboriginal, the Indian, and the European were each located in different times of origin, arrival, and civilization" (p. 172). Succinctly put, for Mawani, this disrupts the linear temporality of racial classification that acted as the foundation of British imperial and colonial rule. In practice, though, the uneven and overlapping histories of colonial rule intersect onto the ship and its passengers—a claim with which the book begins and elaborates on through these diverse accounts.

For the reader, the main point under consideration is that such a history continues into contemporary times. The polyvocality of time(s) is a crucial aspect for the reading done by Mawani while foregrounding its legacy that continues to haunt our *present*. This legacy provides a lens to comprehend the ways in which contemporary immigration debates, especially deriving out of sea, have a history that they retroactively become a part of. These are the anti-colonial struggles where *Komagata Maru* and its passengers project an "alternative" set of chronologies in which "indigenous dispossession, transatlantic slavery, systems of Chinese/Indian indenture, and so called free-migration . . . [are] simultaneous rather than

successive” (p. 236). In this view, migration and oceans as spaces become fluid and constantly moving matrixes that embody political possibilities by disrupting the locked and solid legal structures operating on land and extending onto free seas.

Ankit SHARMA  
University of California, Santa Cruz

### Climate Management in China

Qihao He, *Climate Change and Catastrophe Management in a Changing China* (Cheltenham: Edward Elgar Publishing, 2019) pp 288. Hardcover: \$94.00.  
doi:[10.1017/als.2019.18](https://doi.org/10.1017/als.2019.18)

As the world’s largest greenhouse gas (GHG) emitter, China is especially vulnerable to climate-change disasters; therefore, how China manages climate-related risk is a crucial concern for the sustainability of China and the world. Despite the fact that numerous studies have noted the potential contribution of private governance, few have provided practical proposals to mitigate disaster risks based on theory and a comparison of experiences and social contexts. *Climate Change and Catastrophe Management in a Changing China*, written by Qihao He of China University of Political Science and Law, is therefore a timely and pertinent contribution to the field of climate-change law and catastrophe management.

The book consists of seven chapters, with each presenting a contemplative study of an important theme. Together, they provide theoretical, comparative, and contextualized bases for proposing a climate-change catastrophe-insurance system in China. Chapter 1 analyzes the problem of the current “Whole-Nation System”—a disaster-reduction and relief mechanism—and argues that an insurance system will be more efficient for long-term catastrophe risk management.<sup>1</sup> Chapters 2–6 attempt to answer questions to work toward constructing a catastrophe-insurance system in China. By analyzing issues including the choice between government regulation or market mechanism, the merit of catastrophe insurance over liability insurance, and the role of the government, this book argues for a compulsory multiyear catastrophe-insurance system. He suggests that the system should allow private insurers to apply technical tools to reduce disaster risk effectively, and the government should take measures to enhance the incentives and capacity of private insurers, as well as to integrate political desiderata into the insurance scheme.

He diligently makes worthy contributions to the under-studied issues of adaptation and catastrophes in this book in at least three aspects. First, by analyzing possible

---

1. He (2019), pp. 46, 62–3. He further argues for an insurance system and proposes three principles to facilitate government intervention in the catastrophe-insurance market: (1) solving market-failure problems, (2) implementing a mandatory system with affordable premiums, and (3) reforming the Whole-Nation System to avoid crowding out the private insurance market.