

But the point of this review is not that there are influential individuals with a coherent strategy for leading the ECtHR. The point is that it does not matter what judges say or think if the aim is to build a theory of the Court's behaviour. If the goal is to establish a theory of the ECtHR's behaviour, then the relevant question is whether there is evidence that shows strategic behaviour that explains the Court's actions because it concurs with the available observations of these actions. Dzehtsiarou's book does not provide any reason to think that the Court does not act as if it is strategic. On the contrary, by proving that a peculiar phrase – European public order – is used repeatedly without anyone knowing why, the book proves that at least some strategy that is fully acknowledged by no one may certainly be considered the best explanation for the behaviour of the Court.

In conclusion, based on the rich and detailed information about the practice of the ECtHR provided by Dzehtsiarou, one cannot rule out the possibility that the ECtHR behaves strategically. A strategic explanation may describe a variety of the ECtHR's practices, including the strange practice of repeating certain forms of reasoning that mean very little. This review does not attempt to provide a full explanation for why the particular phrase 'European public order' is used. A potential guess is that, to sustain the feeling of a mutual endeavour, the judges need to share some form of terminology that they do not understand. Analysing the meaning of this terminology itself will not serve to decipher the strategy of the Court. But exposing the fact that this terminology persists despite being incredibly vague, as Dzehtsiarou's book does with great care, provides the first step towards a theory that would view the ECtHR as a unified actor acting strategically to maintain its legitimacy by repeatedly using a certain set of terms.

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Carolyn N. Biltoft. ***A Violent Peace: Media, Truth, and Power at the League of Nations***. Chicago: University of Chicago Press, 2021. Pp. 216. US\$35.00. ISBN: 978-0-226-76642-3.

Carolyn Biltoft has written a creative history of the League of Nations period with insights for international law scholarship at the intersection of media, truth and power. Biltoft is a historian whose approach draws on 'intellectual history, cultural studies, and critical theory' to help analyse the League of Nations and to understand what it reflected about a period of crisis and globalization that in some sense mirrors our own (at 3). This is not a comprehensive or especially detailed history, but, rather, it makes fascinating, sometimes unexpected and often critical connections between themes including language, finance, false news and image. The text is full of generative

insights – Biltoft aims to look ‘*through* rather than *at* the League’ and is ‘more interested in the organization’s meaning-making functions than its policy-making ones’ (at 13; emphasis in original).

Utopian thinking (especially when encountered as post-Cold War hubris or optimism) is often seen by international lawyers as a fault, even while it pervades so much international institutional discourse. Biltoft’s deft and subtle reading of the utopian projects of the interwar years confirms our contemporary critical suspicion of the dangerous optimism of power. Indeed, she explicitly analyses the League’s rhetoric alongside fascism, characterizing each as ‘universalist paradigms ... vying over the same informational mediums to secure a specific world picture’ (at 39).

This is an important study of internationalism at a juncture between the old world of the 19th century and a modern era of technological innovation and violence. This book is clearly the product of many years of careful reflection and archival study. The book’s own origins can be traced to the uncertain period of the global financial crisis of 2008 and efforts to understand its implications. In this way, the book echoes several contemporary turns within international legal scholarship – to history, to infrastructure and to political economy. All, I would argue, are vital to analysing the prospects of international law as it grapples with our own contemporary mix of truth, lies and violence.

Biltoft’s interdisciplinary and connective methods offer a way of understanding the international role and significance of information in terms of politics, finance and war. She is not attempting to offer a neat historical analogy between our time and then, but it is clear that international lawyers can learn much from this exploration of the interwar years and the League’s efforts to rebuild the world after crisis in order to channel and constrain the new. As the preface suggests, the League of Nations experiment represented a shift in efforts to conceive of a world functioning as a whole. This involved a commitment to world public opinion – a concept that remains central to popular engagement with, and participation in, international law but that has lost its credibility as more is understood about great power hypocrisy and the significance of domestic politics in shaping universal normative frameworks.

International law is clearly needed to address collective problems but is increasingly viewed with scepticism. This is particularly so in the field of information governance, which is dominated by a tired transatlantic debate pitching libertarianism against data protection, with state control in Russia and China presented as the only other alternatives. A more nuanced and multifaceted analysis is required, and Biltoft’s powerful book is instructive here. Within the interwar years can be found both a rigid desire for complete global fixes as well as creative and experimental forms that can inspire us in navigating our own dangerous times.

Biltoft characterizes the League of Nations as ‘an information-driven political, cultural, and economic project meant to encompass the “whole world” (even if it did not)’, and she argues that we can learn from its debates about the connections between ‘mass media and mass violence anew’ (at x). The book is neither for nor against international governance. It highlights the connective role that media has played in both the formation of ‘cosmopolitan conversations’ and ‘military mobilizations and

ethnic cleansings' (at xi). Totalizing systems proved to be 'impossible', with information acting both to empower and undermine 'totalitarian fantasies and projects' (at xi). This is a profound insight as, collectively, we begin to comprehend the role of transformative technologies such as artificial intelligence for international law and ordering.

After the Cold War, international law was a more optimistic discipline than it is today, yet also generally blind to its own implication in suffering, violence and experimental failure. There was genuine belief in international law's generality, its universal application, even its moral force. I have come to understand this version of international law as a product of its time with its own fantasies of control and global problem-solving. Our contemporary moment is one that is characterized by uncertainty and fear over the future. It is useful then to take stock of international legal ambitions by thinking about how they might also relate to their own political and cultural contexts. What kind of international law does our own time of pandemic, violence, misinformation, political instability, climate catastrophe and inequality require?

It is in this context that thinking critically about the interwar years and the dangers of totalitarian political projects may be instructive. Biltoft considers the period's debates over a global public sphere or international society, where '*words* might replace *weapons* as the primary tool of international relations' (at 5; emphasis in original). The monograph offers a distinctive contribution to the extensive literature with which it engages, and the author has the confidence to paint a bigger picture through her selective focus on key areas of activity within the League. In an extended and thought-provoking first chapter, setting out the key argument in its context and explaining the methodological approach taken, the author states that, 'from its start, the League was tasked with "manufacturing consent" for the post-World War I capitalist and imperial geopolitical *order of things*' (at 10; emphasis in original).

Biltoft first explores 'the extent to which the organization itself functioned as a truth and symbolic capital production center' (at 14). This draws into view early instances of the mediatization of international institutions. She reflects that, 'at its heart, the League was something of a production company, or an information factory, continually producing words, images, charts, and sound bites' (at 18). Biltoft then explores in subsequent substantive chapters how the League of Nations approached key questions regarding language, money and the press. The chapter on language considers how it could both connect and exclude, how it was a tool of power and control. It also examines efforts to develop alternative international languages such as Esperanto. The following chapter then considers the transformation of banking and finance that telecommunications infrastructure enabled and the discussions over the gold standard, counterfeit currency and the de-materialization of money within the League. Currencies became a site for contestation over trust, equality, truth and identity. Again, Biltoft explores these developments at the League alongside the backdrop of Nazi economic policy and its connections to violence and propaganda.

The final substantive chapter offers fascinating insights regarding the League's innovative approach to media. Biltoft considers the League's law-making in relation to broadcasting and debates over false news or propaganda and again tracks these

themes in Nazi Germany at the same time. Much of the chapter focuses on the suicide of Czech journalist, poet and filmmaker Stefan Lux at the League following the passage of the Nuremberg laws in Germany. It is a chilling and revealing episode highlighting both Lux's effort to draw attention to the threat of fascism and the notable absence of attention it received at the time and in the archives that remain. Bilotft reminds the reader that Lux took this action in the belief that the whole world was watching and would act upon his warning (at 89). The chapter also engages with Walter Benjamin's critique of information and its influence upon critical theory: '[W] herever life and especially death appeared as mere information, violence had become all the more possible and on a greater scale' (at 95).

Bilotft concludes by reflecting on the legacy of the League and its impact on the creation of the post-war United Nations (UN) system. Many felt that words had failed in keeping the peace and that the focus of the new organization should be collective action. Bilotft notes that 'the interwar crisis was born in part of the ways in which information networks linked up both quests for power and wealth as well as existential quests for certainty' (at 116). This short and thought-provoking book is richer for the fact that it is open to the mixed picture that emerges regarding the League. Violence and information systems clearly remained central organizing principles within international ordering after the interwar years, and the UN's genesis aligned with the 'birth of the information era proper' (at 115).

The stakes of these formative debates over media, truth and power could not be clearer. Bilotft helps to unearth the significance of information as a lens through which to understand internationalism. She adds alternative readings of the period to supplement the now rather tired realist critique of the League and to show that 'immaterial signs and material reality had become coconstitutive in new ways through the intermingling of media, markets, and power politics' (at 9). This is useful and also reorientates attention to the material and infrastructural settings through which information helped to shape the nascent international system.

In my own work, I have found this research and its creative, curious spirit to be helpful in thinking further about the relationship between international law and media, including infrastructural and material aspects.¹ Imaginative international legal scholarship is emerging at this intersection of information and international law, exploring both the ideological, technological and material dimensions.² More research is needed as information will continue to be a defining theme in the times ahead. As Bilotft concludes, 'the story lines that escape the prison house of binary code (signal/noise, true/false, local/global, us/them) are not only meaningless to the radar; they are also destabilizing for the despots, the censors, and the book burners' (at 120). Violence, media and misinformation are clearly connected, but their imbrication can

¹ D. Joyce, *Informed Publics, Media and International Law* (2020); Joyce, 'Communications Infrastructure, Technological Solutionism and the International Legal Imagination', 34 *Law and Critique* (2023) 363.

² See further Cong, 'Contesting Freedom of Information: Capitalism, Development, and the Third World', 13(1) *Asian Journal of International Law* (2023) 46; Mansouri, 'Money, Magic, and Machines: International Telecommunication Union and Liberalisation of Telecommunications Networks and Services (1970s–1990s)', 11(2) *London Review of International Law* (2023) 231.

cut and shape the world in all manner of ways. It is our challenge to begin to understand how and why, and, as Biltoft shows, we will need more than positive law or technological solutions to do so.

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Gerry Simpson. ***The Sentimental Life of International Law: Literature, Language, and Longing in World Politics***. Oxford: Oxford University Press, 2021. Pp. 240. £34.49. ISBN 9780192849793.

In a conversation with French philosopher Alain Badiou on the role of philosophy and politics today, interviewer Philippe Petit ventures to ask whether law may have any part to play: ‘The history of massacres does not end, unfortunately, with Nazism or with the Gulag, or Rwanda. Given this ineluctable killing frenzy, do you now acknowledge the progress of the legal and philosophical conscience? In your opinion, is the emergence of “crime against humanity” part of this understanding of the political?’ Badiou’s answer is blunt: ‘No, I don’t think so at all. I think that the juridification – like the moralization – of phenomena of political violence has never contributed in any crucial way to our understanding them. ... I even think it adds to the confusion, because the question that’s left hanging is who the executive agents of the law are.’¹

Reading Gerry Simpson’s book while in the midst of another killing frenzy – this time in Gaza – it is hard to disagree with Badiou. We all watched avidly as South Africa took Israel to the international court on the gravest possible charge, genocide. Two weeks later, Israel was at the International Court of Justice (ICJ) dock again following a United Nations General Assembly’s request for an advisory opinion on its prolonged occupation of Palestine. We emerged after listening to over 50 countries’ submissions to find that the siege and bombing of Gaza had continued relentlessly throughout the proceedings, as if law and war belonged to entirely parallel universes. Does Simpson’s new book help us navigate this glaring disparity between law in the court room and law (or, more frequently, lawlessness) on the ground? Can we derive any lessons, any direction, about this much-debated law called international law and for its practitioners?

Simpson’s opening question could hardly be wider: it is no less than ‘[w]hat holds the world together?’ Simpson’s gamble that the world is held together by laws and language re-enacts the longing for meaning, for a structure, for ‘concreteness’ (at 131) that we prey on, and pray to, for staving off our fear of chaos and of ‘the killing frenzy’ that Petit and all of us are anxious about. Yet the plethora of both words and laws, skillfully put together by esteemed international law practitioners over the course of the ICJ proceedings, did little to relieve the relentless bombing or to reassure us that justice according to the law was on the horizon. We broke off watching only to feel

¹ A. Badiou and J.-C. Milner, *Controversies: A Dialogue on the Politics and Philosophy of Our Time* (2014) 55.