

more usually found in an edited volume. Their careful tethering of the book to the pragmatic realities of building not only a case but a court and the atrocities that gave rise to both are also evident in their insistence on publishing not only in English but in French, the common language of Senegal and Chad and thus those closest to the underlying events.

The Trial of the President should be required reading for any sociolegal scholar. Not just because of its theoretical value, which is impressive, but because of its powerful reflection of a variety of human experiences as the personal and professional lives of the contributors collide with the hard life of the law.

While the book celebrates the triumph of survivors over a powerful and ruthless dictator, it is not simply a victor's tale. Instead, it is a cautiously optimistic retelling of thirty years of struggle and a testament to the determination of each person who participated in the building of an historic case. One is left feeling that each of the participants was necessary to the trial's success and that each deserves applause. But the book also marks a milestone in the evolution of international law, especially the use of national courts and universal jurisdiction as tools to hold former heads of state to account and to bring trials for international crimes closer to the sites of atrocity. Finally, it compellingly illuminates how the fierce determination of an incredibly diverse set of individuals can collectively add up to an imperfect justice—but justice, nonetheless.

* * *

Red Gold: The Managed Extinction of the Giant Bluefin Tuna by Jennifer F. Telesca. University of Minnesota Press, 2020. 311 pp., \$24.95, paperback

Reviewed by David Takacs, University of California Hastings College of the Law, San Francisco, CA, USA

The Giant Bluefin Tuna can swim fifty miles/hour to complete the longest migration—from the Eastern Atlantic to the Mediterranean—of any fish on the planet. It is, to quote David Attenborough, a “superfish” (xiii). Or, to quote the author, “How stunning she is.... She is the ocean” (xv). She (the author ascribes that personal pronoun to the fish, and thus I will, too) is also warm blooded, which results in red, prized, fatty flesh, rendering it prey “for global elites: a delectable consumed by the leisure

class, a brilliant jewel in the prestige economy” (103). Last year, a single 613 lb. tuna sold for US \$3.1 million in Tokyo. She would subsequently have been sliced and diced and served with wasabi and miso at the finest sushi restaurants in Japan.

Come the International Commission for the Conservation of Atlantic Tunas (ICCAT) to the rescue. Or not, as the author details in painstaking, impressive detail. In a polymathic account that spans disciplines from economics to sociology to marine biology to law and is rooted in precise ethnographic study, Telesca illustrates—mostly convincingly—this thesis: “The technocrats in ocean governance need the bluefin to survive no matter how small she has become, not because they are stewards of the planet but because they are wardens of economies attuned to commodity empires for the accumulation of wealth” (215).

What is being conserved, in the author’s recounting, is not a magnificent biological organism, but a commodity. ICCAT manages fish stocks, in both senses of the word: “Today she has been fancied as a derivative on a trading desk, under contract, volatile, the risk associated with her trade chopped up and dispersed throughout the ICCAT network, like a speculative security” (64). Member nations of ICCAT divvy up the catch according to the principles of Maximum Sustainable Yield (MSY), that is, if you catch the most fish you can, and not one more, you can keep selling sushi forever. Mathematicians model MSY, and the fishers, and the fish, are expected to obey the rules statistical rigor has laid down. The superpower nations that designed and wield MSY, needless to say, profit most from the stocks. ICCAT bills itself as a conservation regime, but really serves as just another mechanism for living things to be swallowed, literally and metaphorically, in the capitalist maw.

Many of the author’s core themes will be familiar to readers of this journal. Law is ritual, a series of performances that are “fluid, unstable, messy and indeterminate” (75). In environmental management, as in other areas of the law, bureaucrats fetishize metrics to mask this indeterminacy, and power and hierarchy dictate the outcomes of who gets what. The regulatory agency manages the resource, but really exists to distribute capital to places where capital is already overdistributed. Science, with its indicia of objectivity, is yet another tool employed to enable acquisition of empire’s spoils.

What is different, or at least quite compelling, is the author’s close ethnographic observations of the inner machinations of ICCAT and its participants. Chapter 1 introduces us to ICCAT, its history, its core tools, and the majestic fish that gives rise to an entire international bureaucracy supposedly dedicated to its conservation, but in reality is facilitating its demise. Chapter 2 sees

“ICCAT meetings as ritualized performances” (71) that turn the tragedy of the commons into “the possibly worse ‘tragedy of the commodity’” (99). Chapter 4 shows how reverent devotion to scientific modeling developed and serves to give a mien of objectivity, but instead cloaks the goal of converting fish flesh into financial jackpots. Chapter 5 is a close analysis of one ICCAT meeting where attendees played the ICCAT “game” with various degrees of success, where success is measured in access to the “red gold” ripped from the fish’s flesh.

In the previous paragraph, I skipped Chapter 3, which I found to be the book’s major weak link. In “Saving the Glamour Fish,” the author portrays “A diva dethroned. An icon under duress....The bluefin, it seemed, needed a savior” (109). The author takes aim at environmentalists and their organizations who claim to be “saving” the fish, but nonetheless “cannot escape capitalist webs of patronage either” (136). No, none of us can, including the author selling her lovely book. Of course, environmentalists and environmental groups are not above hypocrisy and have been dragged through the critical legal studies literature before. But this chapter felt like false equivalency between the motives and methods of environmental NGOs and ICCAT, a low blow against those who are using tools at their disposal to, yes, “save” the species. Starting with ad hominem attacks that frame the chapter (environmentalists charged with saving the fish buying the fish at a market), dredging up William Cronon’s tired takedown of the idea of “Wilderness,” the author pays pro forma obeisance to the environmental justice movement, here “the way the poor and disenfranchised concentrating in black, brown, indigenous communities are most vulnerable to the pillaging of the ocean.” Well of course they are, and would be even more vulnerable if tuna disappeared from the planet. But environmentalists and their flagship organizations can multitask, and can and often do seek to bring down the web of interests that conspire to destroy tuna as well as to disempower the poor. This chapter felt shallow and perfunctory—an anticapital anti-technocratic overarching critique *is* necessary, but while waiting for that systemic critique to take hold, would there be any bluefin tuna left?

To end on a more positive note: another compelling aspect of this book is the author’s personal journey. Telesca charts not just her involvement with the ICCAT proceedings and delegates, but her evolving relationship with the fish who journey from ocean to statistic to bank ledger to stomach. A visit to the Tokyo Sea Life Park “to meet the protagonist of this book alive” brings the result that “[t]ears fell down my cheeks as I wept silently on a hard bench positioned for onlookers to rest while staring at the

bluefin's customized pool" (210–11). Telesca's concluding solutions left me more satisfied than I expect they will leave many readers of this journal: we must reimagine the fish and our connection to it and endeavor to understand and revere the non-human other. Fish are not abstruse formulas: "The world is more than a problem to be solved. It is also a mystery to be contemplated" (223). Only when we adopt and cherish values so of the natural world beyond the monetary will we sustainably "save" the tuna and the ecosystems she—and we—need to survive.