theory of judicial decision-making in common law legal systems, and those interested in the functioning of such systems would do well to engage with the propositions of Moskowitz's creative positivism.

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The Sentimental Life of International Law: Literature, Language, and Longing in World Politics. By Gerry Simpson. [Oxford University Press, 2021. viii + 226 pp. Hardback £29.99. ISBN 978-0-19284-979-3.]

How does international law speak and write itself, and, in doing so, constitute the world? And how might reconsidering its narratives, idioms and discursive categories help bring about a more decent international society? These are the questions at the core of *The Sentimental Life of International Law*. Gerry Simpson posits that international law can be regarded as a prose form, and by taking seriously the idea of law as language, he boldly, and compellingly, offers a thorough reconceptualisation of international law scholarship.

In the introduction, Simpson contends that "to speak of the world is to speak international law" (p. 16). He points out that language has power, in that it determines the way we approach law, international relations and the world. The problem, he continues, is that the governing idioms of international lawyering are becoming inadequate for grasping the increasing complexity of the world. The aim of the book is to break out of the prison house of language in which international lawyers are trapped, to come up with new vocabularies and new modes of expression, so that we can be "speaking different sorts of international law", or "speaking international law in different sorts of ways" (p. 2). Another way of putting this idea, as the book does in its postscript, is that we need to defamiliarise international law, to make strange the ways in which it imagines reality.

The second chapter constitutes a meditation on the languages of international law scholarship. Why, Simpson asks, do international law scholars insist on dispassion and distance in their work, and what prompted the recent turn in the opposite direction, towards scholarship in a more personal, autographical mode? His answer is that international law scholars are navigating between two extremes: the register of "too-cool dispassion" on the one hand, and overly emotive responses that reek of "cheap sentimentality" on the other. The chapter then returns to debates around Sentimentalism in eighteenth-century literature and philosophy to shed light on the main problems with sentimentality in our own time, such as sentimental excess, moral simplicity, solipsism, and depoliticisation and disengagement. Simpson proposes a path between the two extremes of complete dispassion and unbridled emotionalism by arguing for a "hard-boiled, unillusioned sentimental life" (p. 52), whereby international law scholars take the "emotional pulse" of their work, while at the same time maintaining a sense of irony that places a distance between them and their subject. The middle path the chapter proposes, then, is one of both sentiment and rationality, involvement and detachment.

The third chapter considers the place of two kinds of laughter in international law: the ironic and the Diogenean. It defines irony as the gap between the solemnity of legal discourse and the messiness of experience, or between law's faith in justice and the cruelties of political reality, and posits that laughter arises when we perceive this "ironic disjuncture" between law and reality (p. 65). The argument then expands, via a discussion of Jonathan Lear's *A Case for Irony* (Cambridge, MA 2011), amongst other texts, into a critical position for international law scholars – to adopt an ironic position is to place in question the supposed coexistence of our identities (as lawyers, as scholars) and the ideals which these identities embody. In other words, it is to engage in "a form of questioning about questioning" (p. 77). Diogenean laughter, on the other hand, is aligned with the grotesque, the blasphemous, and, above all, the corporeal. The discussion in the final pages of the chapter demonstrates that an analytical focus on physicality in the courtroom, such as instances of slapping, hitting or fainting, can enable us to think about the key events in international law from a renewed perspective.

The fourth chapter takes bathos, or a fall from the sublime to the ridiculous, as a point of entry into the role of precedent in the history of international criminal law. Simpson observes that lawyers' tendency towards analogical reasoning means that they are often engaged in "a quest to discover precedents" (p. 92) even for atrocities with no precedent in the twentieth century. The attempt to describe and conceptualise the violence of something like genocide in the language of such precedent, he argues, leads to a "dropping away" (p. 96), or a reduction of inarticulable suffering to the formulas and clichés of law. The chapter then considers moments of "unprecedenting", or atrocities which get written out of history so as not to implicate nations that prefer to think of themselves as heroes rather than villains. The chapter closes with an intriguing discussion of the movement against the erection of physical monuments as a way of commemoration, to explore the role of silence and alternatives such as non-punitive restitution.

The book then turns to the question of how to write international legal history, and also the broader question of the relationship between history and international law. Simpson observes that we have arrived at a moment of "methodological restlessness" (p. 118). He contends that this restlessness arises because it is now clear that we must carefully consider how and why international legal history gets written, but there are as yet no firm protocols on how this process should take place. He sees this impasse as an opportunity rather than a problem: the point, he argues, is not deciding which method is best suited to writing history, but attaining "a greater awareness of the choices open to us along with an awareness that these are choices" (p. 136). One's style of writing or approaching history, then, is – or ought to be – the outcome of a matter of conscious, critical reflection.

The penultimate chapter considers a fascinating question – is there room for friendship in international law, given that states are usually regarded as driven by self-interest and the desire to advance their own strategic goals? Through an erudite discussion of the place of friendship in legal and political theory that ranges from Cicero to Derrida, Simpson argues for a form of "lawful friendship" whereby sovereign states recognise each other as "the same but different" (p. 177): they acknowledge the "shared predicament" of finding their place on the international stage, while appreciating that their counterparts have their own customs, cultures, and conceptions of law and can at times be "unrecognizably other" (p. 177). He finds glimpses of such a relationship in a range of encounters, such as the meeting between Richard Nixon and Chou En-lai

(as imagined in John Adams's opera *Nixon in China*), the exchanges between Josip Broz Tito and Jawaharlal Nehru in Delhi, Bandung, and Belgrade; and the correspondence between Fidel Castro and Nikita Khrushchev.

The final chapter returns to the role of language to explore how international law could be reimagined. Simpson characterises international law as a "linguistic-imaginative enterprise" (p. 197) and reiterates that changing the language with which we describe and articulate international law is tantamount to changing the field itself. He then reaches for a vocabulary seemingly far from the legal field: that of gardening. Drawing on a productively eclectic set of observations about gardens, including passages from Voltaire's *Candide* (1759), Leonard Woolf's thoughts on irises, Rebecca West's recollections of cyclamens planted at Nuremberg, and Khrushchev's pastoral evocations in his letters to Castro, Simpson places international law in a different linguistic frame to suggest that, with careful cultivation, we can work towards growing an international society that is at once fruitful, resilient and beautiful.

The Sentimental Life of International Law is an intellectually adventurous book. It draws on a wide range of intellectual resources, and productively thinks through international law in light of ideas seemingly alien to it, such as friendship, laughter and bathos. Above all, by focusing on how a field such as international law writes and speaks itself, it encourages readers to reflect upon their own critical practice, and how that practice might take part in the building of a more decent and hopeful world.

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The Investment Treaty Regime and Public Interest Regulation in Africa. By Dominic Npoanlari Dagbanja. [Oxford University Press, 2022. xxv + 372 pp. Hardback £102.50. ISBN 978-0-19289-617-9.]

Dr. Dagbanja's book is about investment treaties made by African states. African states have been making investment protection treaties since the 1960s. The treaties involve assurances that the states will protect the foreign investment from adverse interference by the state. The protection which involves restrictions on the sovereign powers of the host state are premised on the assumption that the existence of investment treaties promotes the flow of foreign investment. The further assumption is that such flows promote economic development. If these assumptions are correct, after six decades of such treaties, African states must be in high states of development. They are not.

The assumptions on which the treaties are made are promoted by institutions like the World Bank and the International Monetary Fund. The assumptions relating to economic development appear in the preamble of investment treaties. On the basis of these assumptions, the treaties prohibit interference by the state with the foreign investment even if the measures are in the public interest. It does not require sophisticated economic studies to show that the assumption that investment treaties lead to economic development is not true. The fact that states have developed without treaties (e.g. Brazil), that those states which have terminated