

especially the process behind the ingenious *optional clause* under Article 36 overseen by Francis Hagerup.

This book is highly recommended for scholars and enthusiasts interested in the discipline's historiography and political critique. The book offers a complex interaction between politics, law, and international affairs inherent in international law's theoretical and practical realms.

**Competing interests.** The authors declare none.

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## Minorities and the Making of Postcolonial States in International Law

by **Mohammad SHAHABUDDIN**. **Cambridge Studies in International and Comparative Law Cambridge: Cambridge University Press, 2021. xxiv + 354 pp. Hardcover: AUD\$ 160.95; Adobe eBook USD\$88.00. doi: 10.1017/9781108678773**

Rahul MOHANTY 

OP Jindal Global University, Sonipat, India

Westphalian state-centric international law has long been ambivalent about the question of minorities and self-determination. In this thought-provoking book, Mohammad Shahabuddin examines the role of international law in structurally facilitating certain ideologies of postcolonial states which create and sustain various forms of marginalization and oppression of minorities.

In the first and second chapters, Shahabuddin traces the origin of ethno-nationalism in postcolonial states and the ideological function they play. He challenges the western liberal assumption that ethno-nationalism is uniquely non-western and that development is the logical solution of this “problem”. Through the example of Indian nationalist movement, he demonstrates that a series of factors emerging from colonialism, such as colonial policies, including “divide and rule”, modernist nation building process, divergent growth of the petty bourgeoisie of different communities and capitalism, contributed to ethno-nationalism in postcolonial states.

Shahabuddin also shows that postcolonial state as an ideology, at least in South Asia, emerged as an ostensible counter to ethno-nationalism. He offers a critique of the postcolonial state as an ideology vis-à-vis minorities, which he argues has three manifestations – a postcolonial national state, postcolonial liberal state and postcolonial developmental state.

In the second part of the book, he further substantiates the aforementioned three frameworks of nation building, liberalism and developmentalism, with examples of Rohingya in Myanmar and Chittagong Hill Tribes in Bangladesh. In this part, he focuses on the role played by international law to legitimize and facilitate these ideologies, indirectly reinforcing the marginalization of minorities. In this third chapter, he discusses the principle of “*uti possidetis*” which, contrary to the goal of reducing conflicts, has actually exacerbated conflicts in many postcolonial states by denying the right of self-determination to minorities. He

discusses how international law has promoted assimilation of minorities in the name of “unification” into nationhood (read dominant culture). In the fourth chapter, he discusses how international law is structured to maintain the status quo of national states, while not offering sufficient remedies to minority groups. He argues that the international liberal rights framework of equality and non-discrimination only serves to diffuse a minority group into individuals, while not protecting them from deprivation through denial of citizenship, as in the case of Rohingya in Myanmar. In the fifth chapter, he examines how privileging of economic development further suppresses minorities, and how international law also allows for subordination of minority interests in the interest of “national” development and fails to protect minorities from land-grabbing and other “developmental violence”.

This book provides an excellent deconstruction of the ideas of statehood and minorities. Building on the critical Feminist and Third-World approaches to international law, Shahabuddin emphasizes the need for going beyond the “vulnerability framework” for protection of minorities in international law and calls for reimagining the idea of statehood and minorities. This book will be an interesting read not only for international lawyers interested in minority rights, but also TWAIL scholars and students of international relations and postcolonial studies.

**Competing interests.** None.

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## Competition Laws, National Interests and International Relations

**by Ko UNOKI. Abingdon, Oxfordshire: Routledge, 2021. 144 pp. Hardcover: AUS\$252.00; Softcover: AUS\$77.99; VitalSource eBook: AUS\$63.89. doi: unknown**

Sudhir VERMA<sup>1</sup> and Saniya KHANNA<sup>2</sup>

<sup>1</sup>VIT-AP School of Law, VIT-AP University, Amaravathi, Andhra Pradesh, India and <sup>2</sup>Masters candidate, Graduate Institute, Geneva, Switzerland

In this book, Ko Unoki, a Japanese corporate business and marketing strategist, traces and deliberates upon the existence of “a common global competition law” regime and undertakes an interdisciplinary and theoretical quest to propose an international competition law using international relation theories. The book, in continuation with the author’s previous work, is centred around the inter-connectedness between the state, the altruistic interests of the state (specifically relying on theories of Smith and Marx), and marketplace and economic regulation in capitalist economies.

Beginning with an overview of competition law and international relation theories, the book traces the evolution of competition law jurisprudence from the 17th century to the 20th century. It investigates the dilemma between competition regulation and unfettered capitalism, providing illustrative examples from three capitalist economies – the US and Canada, the European Union, and Japan.

Unoki then introduces his *players* – cartelization (state-sanctioned export cartels), extra-territoriality (effects doctrine), and mergers and acquisition – to showcase the nexus between the national interest of states and the arbitrary behavioural fancies of