

## BOOK REVIEWS

### **Why Adjudicate? Enforcing Trade Rules in the WTO**

Christina L. Davis

Princeton: Princeton University Press, 2012, 326 pp.

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The debate about how best to link domestic politics to international outcomes finds expression in Christina Davis's book, *Why Adjudicate? Enforcing Trade Rule in the WTO*. Although it may not be novel to argue that adjudication potentially serves as a release valve that allows governments to respond to and balance multiple competing interests across borders, such an argument is only the departure point for Davis's carefully designed study. Going beyond the standard economics and legal criteria, she combines the political pressures of industries with theories about the constraints on executive autonomy to push our thinking on why states engage in the patterns of adjudication that they do.

Central to these patterns are the actual constraints on executive autonomy by the legislature, what she calls overall the domestic constraints hypothesis. Of specific note, here is the responsiveness of these branches to domestic political pressures, and as she points out, the executive and legislature are clearly affected by different politics as far as trade policy/legalization is concerned. Relative to the legislature, the executive has higher involvement in foreign policy, longer time horizons, and a wider

constituency base. These elements make it less politically imperative for the executive to respond to domestic calls for tougher actions on foreign trade partners. The greater the autonomy of its executive branch, she argues, the more likely it is that a state will have the flexibility to pursue negotiated outcomes; and, conversely, the less likely such a state is to pursue high-profile legal actions that ultimately and visibly serve as a signal of political resolve to a legislature. In short, the higher the checks and balances at home, whether in a presidential or parliamentary system, the more likely the state is to pursue adjudication.

This central explanation – focusing on legislative constraints on executive autonomy as increasing the propensity of legal actions – is reinforced by the politics within both initiating and respondent states in democracies. In the trade strategy game, adjudication emerges as a middle ground between the politics of the legislature and the executive, allowing a state to stave off the equally undesirable politics resulting from a trade war abroad or inaction at home. Initiating states suffer from a credibility problem about being able to deliver market access, which can then affect their prospects for political support and contributions; as such, they may move to adjudication as a clear signal of resolve to their domestic constituents. Equally plausible, respondent states may confront import industries' recalcitrance toward negotiated settlements; as such, they may also acquiesce to adjudication as a signal of their commitment to their own domestic constituencies for political reasons.

Davis backs up her claims with well-researched and compelling evidence, both quantitative and in case studies of the United States and Japan. Although, overall, the findings support her central emphasis on executive strength relative to the legislature, she is mindful of and assesses a number of alternative explanations. One intriguing extension to her basic argument comes in the case studies. For example, in Japan's choices of trade strategies for the United States and China, we begin to see more historically sensitive diplomatic considerations come into play, elements that may well resonate in other case studies in the future as it is fair to say that they continue to defy measurement in quantitative studies. Diplomatic considerations, to be specific, allowed the same autonomous Japanese executive to choose adjudication as a trade strategy for the US antidumping disputes in contrast to negotiations for China's tariff measures.

In all, Davis puts forward a compelling theory about how variations in domestic politics influence adjudication choices in democratic states.

In doing so, she offers us an analytically neat way to bring together long-standing arguments about strong and weak states, as well as societal pressures, in the making of foreign policy.

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## **The Economy-Security Nexus in Northeast Asia**

T.J. Pempel, ed.  
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0415629140 (Hardcover £90).

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The Northeast Asian region has attracted at least two types of international relations analyses. A first type focuses primarily on military and hard security and investigates changes in states' power and the politics of coercion, balance of power, and alliances. A second type is interested in cross-border economic activities, regional interdependence, and institutionalization and then examines the states' policies of development, trade, money, and technology, as well as the politics of institutional building and reform. T.J. Pempel's edited volume synthesizes the two approaches by viewing the mutually shaping interactions between economics and security as a major feature of regional politics. The book is a fruit of collaborative efforts by American, Japanese, South Korean, and Chinese scholars who provide in-depth analyses of recent developments in the region.

The edited volume begins with the introductory chapter (Pempel), which sets forth the common research questions of 'how well or how poorly states interact with each other in geopolitics and how this is (or is not) affected by their economic relations' (p. 17). This economy–security nexus contains the basis of state power and provides strategic opportunities