

document that enjoys a legal status above ordinary treaties; spells out nonoptional global norms such as sovereign equality, noninterference in the internal affairs of states, and prohibitions of aggression, crimes against humanity, slavery, and torture; defines permissible ways to enforce these norms; creates fair and inclusive second-order rules to guide the formation of international law and resolution of collective action problems; clarifies the relation between international and domestic law; and establishes international bodies with the authority “to interpret, apply, and enforce constitutional norms, ideally on a nonconsensual basis” (p. 156). Deference to national law and ordinary treaty law is preserved over broad policy areas, but global constitutional norms and the judgments of international courts authorized to interpret them are supreme over national law. Though a global constitution is the goal, it could begin as “a voluntary constitutional compact among liberal democracies and other willing nations” (p. 134). The process would require both an international pact and amendments to national constitutions (p. 136).

Pavel’s reasoning is illuminating and persuasive, rooted in admirable command of her subject and contemporary theoretical debates alike. She sharpens her arguments by answering possible objections from realists, statist constitutionalists, and legal pluralists. Often, she can show that the legitimate concerns of rival theories are best accommodated by her approach. She does not flee from difficulties, but is clear-eyed about the challenges of her topic. Her book is likely to spark vigorous debate and energetic dissents from multiple directions. Some readers may object that the dangers she wants to combat have more to do with false values than deficient institutions—that the backlash against international law is at root a backlash against the values of equality and dignity to which she appeals. I expect her answer would be that the fight over institutions and the fight over values are the same struggle. She writes: “While states have the means of creating a stronger system of rights protection for both states and individuals and for solving a variety of cooperation problems, they lack the will to do so. Constitutionalization is a means of creating the will” (pp. 181–82). Woven through her account is a vision of justice, cooperation, equal respect, and moral responsibility. We reaffirm our values when we build institutions that hold us accountable to them.

Democracy Here and Now: The Exemplary Case of Spain. By Pablo Ouziel. Toronto: University of Toronto Press, 2022. 216p. \$65.00 cloth.
doi:10.1017/S1537592722003577

— Omar G. Encarnación, *Bard College*
encarna@bard.edu

Among the many social movements that have left their mark on Spanish politics, few compare to “15M,”

otherwise known as *Los Indignados* (or the Angry Ones), the antiausterity, grassroots movement that erupted on May 15, 2011, at the peak of a massive financial crisis and in the midst of a wave of corruption scandals involving the nation’s leading political parties, its largest banks, and even the Spanish Royal family. Broadly recognized as the most influential social movement in Spain since democracy was restored in 1975–78, following the demise of the four-decade-old dictatorship of General Francisco Franco, 15M was notable for its massive demonstrations and the occupation of public squares in Spain’s largest cities (at its peak, 15M encompassed between 6 and 8.5 million people), and for pressing a “nonpartisan” agenda that included fighting corruption, lowering the cost of living (especially housing), and liberalizing the political system to make it more participatory and accountable to the people. Assessing the legacy of all this political activism is the main mission of Pablo Ouziel’s compact book, which is fitting because by Ouziel’s own telling, 15M’s self-professed goal was “to deconstitute the regime born in 1978 out of the transition from dictatorship to democracy so that a different regime could be formed in a collective manner” (p. 41).

For starters, since 15M, mayoralty races in Spain’s largest cities, including Madrid, Barcelona, and Valencia, and many other cities and towns, have been won “by candidates who are deeply rooted in social movements and who participated in M15” (p. 40). These individuals are credited with using municipal government to further the political agenda of 15M, including “concrete measures to welcome refugees, reduce homelessness, fight speculation and aggressive tourism, and tackle local pollution” (p. 41). Ouziel also credits 15M with shaping a new wave of social movements. As he notes,

Since the occupations of May 2011, many people in Spain have endured beatings by police, have been evicted from city squares, and have been arrested. Nevertheless, their actions have spread throughout local communities, and the seeds of social, political, and economic democracy are beginning to flower in the hearts and minds of large swathes of the country’s population. Many of their practices employed during these occupations and their associated constructive programs have since become part of the repertoire of practices employed by other popular initiatives. (p. 49)

More notable, perhaps, 15M enabled the rise of *Podemos* (We Can) in 2014, which Ouziel describes as “the biggest political innovation in Europe since the end of the Cold War” (p. 134). Although nowadays known as a leftist populist party, *Podemos* originally pitched itself as “postideology;” neither left nor right, simply for the people. The party’s modus operandi rests on a novel horizontal structure, whereby everyday decisions are made by citizen councils rather than by a more typical vertical structure. Its inaugural economic program called for nationalizing key economic sectors, a state-guaranteed living wage, a 35-hour work week, a law preventing profitable companies from

firing their employees, and an audit by citizens of the public debt. The party also rallied against globalization and the European Union.

Drawing from Latin American left-wing populist movements, especially Hugo Chávez's "Bolivarian Revolution," Ouziel describes how Podemos ushered in a new way of reaching and relating to voters in Spain. Emotion as much as rationality was key to the party's approach to voters. "When was the last time you voted with hope?" asked the party's slogan for the 2014 European parliamentary elections. Podemos' mobilization and organizational strategies also included the extensive use of new media. Pablo Iglesias, Podemos' leader, a former political science professor at Madrid's Complutense University, hosted an internet talk show called *La Tuerka* (The Screw), which he used for attacking business and political elites in a manner reminiscent of Chávez's television show *Aló Presidente*.

Although Podemos has fallen short of predictions that saw the party capturing the central government in Madrid and remaking Spain from top to bottom, the party remains relevant. At the moment, it is a partner in the intraleft coalition that has governed Spain since 2019, headed by Prime Minister Pedro Sánchez of the Spanish Socialist Workers' Party, or PSOE. As part of this coalition, Podemos has pushed the PSOE toward a more progressive stance on social issues and for more public spending as a means for accelerating Spain's economic recovery from the COVID-19 pandemic. Just as important is that Podemos has aided in keeping left-wing governance alive in Spain at the time when left-wing parties of virtually all political stripes have struggled to retain their political viability across Europe.

Last, but not least, is 15M's intellectual legacy, which is Ouziel's main concern in the book. Indeed, the book is pitched as something of a prescription for how to cure ailing democracies. Ouziel is nothing but effusive about 15M's intellectual legacy:

15M does not simply show us that another world is possible. It reveals how another world is actual. It does this through an exemplary performance or a multitude of practices of civic engagement. Mastering their nonviolent, horizontal, and dialogical conduct, individuals being 15M become exemplars of the civic ideal, an ideal that cannot be specified through principles is exemplified through performance. (p. 37)

Ouziel goes on to add that: "In the kind of democracy practiced by 15M, citizens are co-subjects and co-authors in relationships of power. Through their civic practices, civil and civic citizens working from within the 15M reveal their ability to be free within and against their society's rules of governance" (p. 39).

Ouziel's analysis of 15M has many virtues, such as clear writing, extensive historical background, and deep reflections about the current state of democracy, especially the idea that activism by ordinary citizens can reinvent

democratic politics. The book also provides a welcome addition to the scholarship on contemporary Spanish politics, given the traditional focus that scholars have granted to elite maneuvering over grassroots activism. This all said, the book disappoints on several fronts. Ouziel provides ample criticism of 15M, such as the corruption and sex scandals that have diminished the political standing of Podemos in recent years, but he glosses over the party's confrontational tactics and unwillingness to compromise. Following the April 2019 general elections, Podemos' demand for equal distribution of power scuttled a coalition government with the PSOE, even though the PSOE was the undisputed winner of the elections. The impasse forced a snap election in November of that same year; that second election delivered a diminished plurality for the PSOE and Podemos. At that point, rather than risking a third election that could in theory hand the government to a coalition of right and far-right parties, Podemos accepted the PSOE's terms for a coalition government. It was in 2019 that Vox, Spain's far-right party, entered the Spanish Parliament. Vox is famous for its rants against immigrants, feminists, LGBTQ people, and regional separatists. Podemos' intransigence prompted former PSOE Prime Minister Felipe González to call the party "a bunch of regressive utopians."

My biggest issue, however, is Ouziel's low regard for Spain's political system, best shown by the dubious claim that: "The separation between dictatorship and democracy in this southern European state has never been fully attained; the line has always been blurred" (p. 145). Such statements show a distressing tendency by some scholars and political observers to measure Spanish democracy by its biggest shortcomings rather than by its most notable achievements. While the roots of 15M are found in the stagnation of the current political system, it is also the case that it is the strength of the political system in a country with a very short history as a democracy that allows movements like 15M to succeed in pushing the boundaries of democratic politics.

Human Rights as Human Independence: A Philosophical and Legal Interpretation. By Julio Montero. Philadelphia: University of Pennsylvania Press, 2022. 200p. \$45.00 cloth. doi:10.1017/S1537592722003346

— Hussein Banai , Indiana University Bloomington
hbanai@indiana.edu

Since their emergence as a specialized field of knowledge, human rights have been studied in either narrowly empirical or exclusively normative terms. In legalistic and historical inquiries, the focus tends to be limited to the enumeration, documentation, or general evolution of human rights norms, laws, institutions, and practices. Normative accounts, in contrast, tend to view practical considerations as second-order concerns stemming from