

Unfortunately, readers do not get a good feel for why particular forces win the battles for ideas (p. 257). There is little predictive power here about which versions or combinations of the three foundational myths would survive and thrive: capitalists and elites simply win. The richly descriptive characterizations of foundational myths and their morphings lead ultimately to an argument that feels instrumentalist: America's individualist myths "have continually buoyed the political fortunes of those who have channeled them skillfully" (p. 285). Readers could better understand why certain versions of the myths prevailed were there greater connection to American political development scholarship or even to changes in economy and society that were taking place, especially in the second half of the nineteenth century. The reform-minded are left with the rather weak hope that "now as ever, the winners in this struggle [over politics, economics, discourses] will likely be those who construct, out of the raw materials of America's individualist mythology, the most compelling story of what this country can and should be" (p. 285).

Political myths, stories "used to make sense of political events and experiences" (p. 12), reduce chaos and complexity to familiar patterns, often by staging moral dramas. But if "political myths remain myths only so long as they give meaning to the present" (p. 12), why—and how—do the political myths explored here still function? Optimism about how the market delivered to each (at least white males) according to their abilities, and economic mobility in the antebellum decades were underlying conditions that seem very different from those facing twenty-first-century Americans.

Zakaras provides readers with a very rich, engaging and well-written book that mines quite a lot of primary materials, brings together sacred and secular developments, and sheds new light on various strains of early and mid-nineteenth-century American political thought that may be with us today in ways we fail to recognize. We are reminded that collaboration and solidarity are also part of American discourse, albeit from dissenting traditions. Among the strands of this legacy, Zakaras finds reason for optimism that more egalitarian stories could gain the day as faith in Reaganism fades and there is instability in America's self-conception.

Asylum as Reparation: Refuge and Responsibility for the Harms of Displacement.

By James Souter. Cham, Switzerland: Palgrave Macmillan, 2022. 194p. \$119.99 cloth.
doi:10.1017/S1537592723000531

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James Souter's *Asylum as Reparation: Refuge and Responsibility for the Harms of Displacement* argues that states often owe reparative duties to those in need of asylum. In Souter's telling, states frequently take actions, sometimes

deliberately and sometimes inadvertently, that generate conditions under which people must flee in search of safety. States' complicity in producing these conditions generates the obligation to engage in reparation, says Souter, which comes generally in the form of offering asylum spaces to those who have fled. Sometimes the complicity is clear and present: states initiate or participate in military conflicts that generate movement, for example. At other times the complicity appears less clear; for example, with respect to climate-change-induced movement (pp. 75–81). Not every asylum seeker will be entitled to asylum on reparative grounds, but most will have at least some reparative claim that must be respected. The humanitarian perspective, which tends to treat asylum as a matter of rescue and focuses on prioritizing those who are most in need of asylum, is insufficient. A reparative view of asylum, says Souter, does a better job of guiding the allocation of responsibilities that states have to asylum seekers. Souter's book joins an important literature focused on articulating the role of states in causing forced displacement and in offering remedies for that displacement (for example, see Serena Parekh, *No Refuge: Ethics and the Global Refugee Crisis*, 2020, and David Owen, *What Do We Owe to Refugees?* 2020). Souter's careful theoretical analysis adds to this literature a clear-eyed understanding of how a robust account of reparative obligations can inform a morally defensible response to refugees in many, if not most, cases.

In the first few pages in *Asylum as Reparation*, Souter sets up the principle of reparation that will guide his analysis: "those who cause harm, and especially unjustified harm, bear a special obligation to make amends for it" (p. 6). He then articulates in detail how this general principle should be fleshed out in the case of asylum, suggesting that reparative asylum is owed where a state has at least some responsibility for causing forced movement, that is, an "unjustified harm"; where asylum is "the most fitting form of reparation"; and where the state in question has the capacity to offer it (p. 12). Souter shows little sympathy, I think rightly, for states that claim they cannot absorb asylum claimants, and he presses back effectively against those who might object that public opinion in a would-be receiving state will not welcome asylum seekers or that there are cultural reasons to exclude them, even when asylum is owed as a matter of justice.

Asylum, says Souter, is one of several ways that states might well respond to forced displacement: at times, states may prefer to offer financial aid to other states that are hosting those who are displaced, or sometimes voluntary repatriation may be appropriate (pp. 114–22). But, in many cases, the offer of asylum is the most "fitting" response—and although Souter offers some brief considerations about what specifically asylum entails, he is relatively quiet on the great variety of ways in which states grant asylum (though he does argue that, in addition to

asylum, asylum seekers may also be entitled to compensation of some kind and to “satisfaction,” by which he means an appropriate apology for the harms they have faced).

To give just one example, after an initial discussion in chapter 1 (pp. 30–32) about the conventional way in which asylum is described and defended in the humanitarian literature, with which Souter takes issue, readers are left wondering whether the asylum that is granted must be permanent or whether it can be temporary, and which specific rights beyond basic needs fulfillment must be protected for a state to justifiably claim that it has met its reparative obligations. For example, are all those who are offered asylum entitled to citizenship and, if so, under what conditions and when? The answer is not clear. At one point, Souter says that asylum may on occasion be only partially reparative and that in some cases more may be needed—“at times through grants of citizenship, or at least further periods of residence” (p. 52). Elsewhere, in a very brief discussion of the claim that asylum is best understood in political terms and while responding to the fact that those who are forcibly displaced have lost membership and the corresponding rights protection that membership typically offers, Souter writes that there may well be a “*presumption* that reparative claimants are owed permanent protection” (p. 128). More generally, Souter’s analytical skills might have been directed more at specifying precisely the content of “asylum” requirements—in particular, with respect to which rights (beyond the basic) must be protected and when and why, if reparation is the objective—and how they relate to what resettled refugees are owed (he notes at p. 33 that they often travel together, even as they are treated separately in the larger literature).

In a later chapter, Souter considers how seriously the state should take refugees’ preferences; for example, with respect to where they are granted asylum (pp. 123–27). Perhaps refugees would actively resist being granted asylum in states that are responsible for their displacement. (I have worked in refugee resettlement for years, and an

Iraqi arrival to Ottawa once told me that she would never set foot in the United States after the way that country had destroyed hers). Or perhaps they have powerful identity claims leading to demands to be resettled as a group so that their identity can persist in the face of displacement, something that may be true, for example, of resettled Tibetans or Karen refugees.

These considerations are urgent. Correspondingly, much work in this space has moved in the direction of developing asylum and resettlement strategies that are more attentive to the expressed preferences and needs of refugees and asylum seekers themselves, in collaboration with refugee-led organizations that are perhaps better suited than academics in liberal democratic states to articulate the range of options that would satisfy reparative obligations. Souter has done extensive theoretical work to map out the normative considerations that are relevant to identifying which states are responsible for offering asylum. As a result, he is well placed to further consider the specific ways in which the voices of those to whom reparation is owed can and should be added into the conversation, thereby perhaps expanding the range of ways in which reparation can be carried out in more creative ways. What happens, readers might wonder, if those to whom reparation is owed do not appreciate the options they are offered? Can states claim thereby that they have carried out their obligation if these options are refused? Are repatriation, asylum, or aid to refugee hosting states the only options available?

Souter’s book is careful, well argued, and nicely structured. It offers an important additional consideration—a reparative consideration—to existing discussions focused on the way that responsibilities toward refugees and asylum seekers ought to be understood and distributed. It is the work of someone who is a real expert in the wide range of theoretical and legal work that has been done in this space. Scholars in these fields will learn much from Souter’s *Asylum as Reparation*.

AMERICAN POLITICS

The Illusion of Accountability: Transparency and Representation in American Legislatures.

By Justin H. Kirkland and Jeffrey J. Harden. Cambridge, UK: Cambridge University Press, 2022. 279p. \$99.99 cloth.

doi:10.1017/S1537592723000786

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In *The Illusion of Accountability: Transparency and Representation in American Legislatures*, Justin Kirkland and Jeffrey Harden consider an under-examined, yet fundamental aspect of legislative institutions—their transparency—as

indicated by the presence of open meetings laws. The central question is how do laws intended to promote openness in legislatures affect how these institutions function? On the one hand, transparency might be expected to enhance the role of citizens in the representation process. As the authors note, “by revealing the decision-making process, open meetings give citizens the ability to conduct substantive evaluations of the representatives, yielding evidence for assessing whether they are out-of-step or working for the constituents they represent” (pp. 12–13). Greater transparency, therefore, may lead to greater accountability of elected leaders. On the other hand, transparency may invite scrutiny by voters who could find the deliberations and negotiations distasteful.