

However, the author highlights that such an assessment would face two normative difficulties. First, though states have agreed to achieve collective objectives (for example, a temperature goal of 1.5/2 degree Celsius), there is no obligation to act “consistently” with these objectives, nor is it clear what they mean for individual action on climate change. Second, the climate change regime does not prescribe any criteria for objectively assessing “burden-sharing” among states. Therefore, Chapter 7 proposes an alternative concept of “corollary duty” in the form of the “appropriate measures” a state is expected to implement to comply with “general” mitigation obligations. To this end, the author identifies three corollary duties of “general” mitigation obligations. These are the duty of cooperation, the duty of vigilance, and the duty of consistency. The application of the concept of “corollary duties” appears reasonable, but its effectiveness and successful implementation rest on a proper assessment of “consistent state practice” and “good climate change mitigation practice”, which states are yet to establish.

Overall, the book provides a new doctrinal perspective, the relative concept of “corollary duty”, to assess compliance by states with “general” mitigation obligations emerging from CIL and climate change treaties. Judiciaries (both international and domestic) can use this concept to assess the cases of compliance and fix the liability/responsibility of a state in case of non-compliance with, or breach of, any specific duty. The Implementation and Compliance Committee set up in the PA may also use this concept to assess individual cases of compliance/non-compliance with the mitigation provisions of the PA. The book’s contribution could be seen in a larger context where the precise “identification and application” of mitigation obligations would not only influence the behaviour of states to implement their respective mitigation obligations but also help to pursue a successful domestic/regional/international climate litigation.

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## **Sovereignty, International Law, and Princely States of Colonial South Asia**

**by Priyasha SAKSENA. Oxford: Oxford University Press, 2023. xviii + 243pp. Hardcover: USD \$115.00; eBook: USD \$114.00. doi: 10.1093/oso/9780192866585.001.0001**

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The task of the modern historian is not an easy one, and any attempt to trace the history of international law may need to consider the late jurist Christopher Weeramantry’s words that “international law is a cloak of legality thrown over the subjugation of colonized people”.<sup>1</sup> It is in this context that we need to assess Priyasha Saksena’s work as a novel contribution to the scholarship. In international law, “sovereignty” remains the cardinal point from which all related substantive or procedural debates have emerged. The

<sup>1</sup> Christopher G. WEERAMANTRY, *Universalising International Law* (Boston: Martinus Nijhoff, 2004).

notion of sovereignty that the author narrates in her compelling work differs from that of sixteenth-century Western thinkers such as Hobbes and Bodin. For those thinkers, if sovereignty was to be achieved, it was based on protecting the state against outsiders. But, Saksena takes a more nuanced approach by projecting sovereignty during the British Raj as a discourse for deciding the legal status of the princely states in India, and she further discusses how the question of sovereignty arose in the colonial period and contributed to the formation of the modern Indian state. With significant intellectual influence from the works of Lauren Benton and Rande Kostal, the author aptly unfolds the twisted identities of the princely states through the lens of sovereignty.

After briefly presenting an overview, Chapter 2 is an analysis that tries to locate the applicability of sovereignty as an ambivalent concept in the unequal relationship that existed between the British and the princely states. In this encounter, British paramountcy was upheld by using international law as an imperial tool favouring the interests of the British East India Company. The discussion from Chapter 3 highlights the structural changes made by the British after the 1857 Mutiny, which ended the rule of their East India Company by consolidating British central power over India as a direct subject of the Crown. Saksena gives an interesting account of the issues of sovereignty that pervaded the troubled relations between the British and princely states. The main one was Henry Maine's depiction of sovereignty as "a divisible" and as a question of fact, which attracted the British authorities in India to establish their rule by claiming that princely states were under the orbit of British rule in India. Chapters 4 and 5 deal with the usage of sovereignty as a double-edged sword in the interwar years, where the British used sovereignty as a legal basis to intervene in the internal affairs of the princely states. In return, the princely states also sought to redefine sovereignty as a divisible concept, which enabled them to acquire a quasi-international status.


The centralized notion of territorial sovereignty that emerged in the advent of decolonization in South Asia is well discussed by Saksena in Chapter 6. For instance, the author shows how the State of Hyderabad disappeared from the political landscape of South Asia with the articulation of territorial sovereignty as the paramount factor. The author should be complimented for undertaking a complex and challenging field of research. It is my sincere hope that this book will spur further debate in the scholarship.

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## Conceptual (Re)Constructions of International Law

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This edited book presents a compilation of inquisitorial conversations involving international lawyers, scholars, and practitioners. Within these exchanges, the authors