

# In Gratitude

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2022-11-25T14:00:49

One of the most challenging parts of writing [The World Bank's Lawyers](#) was coming to terms with its closure – the closure of its cover, its core claims, the changes in international law and lawyering that it tried to trace. In the poignant painting by [G rard Garouste](#) that I chose as image for this work, movement is crucial: while the figure looks back, the vessel floats on – rocky, unruly, undirected. If I struggled with closure, it is all the more exhilarating to receive the gift of openings that the five contributors to this symposium offered. The arguments in the book have been reframed, extended, questioned, stretched, provoked, surprised by new encounters and transported to new terrain. I am immensely grateful to Anna Sophia Tiedeke for convening the conversation, and to Isobel Roele, Guy Sinclair, Michael Riegner, Negar Mansouri, Gail Lythgoe as well as Ahmed Menon, Florenz Volkaert and Tommaso Soave (as part of the [online book launch](#)) for engaging so deeply with the work.

The central proposition of the book is straightforward: if we want to understand and critically evaluate the evolving politics of international law – as a mode of authority and expertise in global governance – we cannot limit ourselves to the doctrinal, comparative and constitutional focus that is dominant in literature on international organizations law. It is on the level of material practices and professional performances, of [lived practices and techniques](#), this book argues, that we can trace transformations in international law and observe its alignment with, and place within, new forms of governmentality.

Written through three portraits of former General Counsels in the World Bank – Ibrahim F.I. Shihata, Roberto Da ino and Anne-Marie Leroy – the book's historical account observes salient shifts in the practice of international law: from the principled posture of (neo)liberal legalism, via the dynamic deformalization demanded by cosmopolitan enthusiasm and corporate pragmatism, to the promotion of a [new normative architecture](#) tied in postliberal rationalities of resilience and 'risk management'. In providing this account, the book focuses on sites, sources, sensibilities and scripts that are rather rarely invoked in international legal scholarship: thick self-descriptions by international lawyers of their personal feelings of heroism or failure; professional prototypes nurtured to instil cultural change or cohesion (the 'selfless', 'detached', 'dutiful', 'how to', 'client-oriented', 'solutions bank' lawyer); technical templates of risk measurement and management; changing hiring practices; moving offices; managerial crises; boardroom meetings; dense footnotes; fantasies of lasting legacies – the mundane and material [passage of law](#) on which political controversies and institutional changes often appeared to hinge. In 'following the actors' through these webs of legal practice, the analysis inevitably reaches beyond the World Bank. The deformatizing drift described in the book – tied to both the aspirational tropes of moral universalism and corporate ideals of competent legal practice – extends also to other spaces of global governance and international legal labor, and gives substance to a prevailing sense of disciplinary

disenchantment that contrasts quite sharply with the professed ‘constitutional turn’ in international institutional law (a counternarrative noted in [Michael's intervention](#)). The book thereby draws on the methodological language of Actor-Network Theory (ANT) and relational sociologies, in short, to map and evaluate the changing practices, performances and politics of international law.

The deep engagement with this account in the pieces that appeared throughout this week invited me to learn about and rethink this account, and see its contributions and limitations from different angles and often in an entirely new light. Fascinatingly, while engaging with the changes in legal culture and practices of lawyering that the book aimed to map out, the authors all situate its center of gravity on slightly different points. While [Gail Lythgoe](#) focuses on the ‘shift to risk as governmental technology’ within, across and far beyond the World Bank, [Negar Mansouri](#) links its conclusions to the rise of ‘disciplinary neoliberalism’, ‘intensifying commodification’ and the reformist ripples flowing from the core of capitalism – both engaging, questioning and extending the threads traced in the book, and linking it to the radical approaches of [legal geography](#) and [Marxist-Gramscian analysis](#) in their own work (which has been leading the way in inviting [new approaches](#) to international organizations law). Focusing on ‘how the legal cultures imposed by successive General Counsel of the World Bank have undergone significant shifts over the past three decades’, [Guy Sinclair](#) sees the book as exploring the ‘inner lives of international organizations’, while [Michael Riegner](#) frames it as a counternarrative to the celebration of international law’s ‘constitutional turn’ as well as to familiar critical routines – both also having contributed in significant ways to precisely these debates ([here](#) and [here](#), for example). [Isobel Roele](#), from a different vantage point, centers her intervention around the book’s account of international law’s apparent precariousness – linking this to [her own innovative work on the ‘infra-law’ of the UN in the sphere of counterterrorism](#), and, thereby, already taking on [Guy’s invitation](#) for ‘other mapmakers’ to draw connections between this book and ‘other domains’ of global governance. For the book to encounter these openings and travel in these different directions is precisely what its methodological orientation invited and aspired for – for the threads to be picked up, unravelled, extended, modified, appropriated, extrapolated, disrupted, displaced, and picked up again.

### **[‘There’s a Gap in between’](#) – Sites and Scales (or How to Avoid the Leap of Structuralism)**

One recurrent and important invitation in the engagements with the book relates to the sites and scales of the analysis. [Isobel Roele](#)’s interest to ‘know more about the micro-level practices ushered in and provoked by ... meso-level strategies’ resonates with [Guy Sinclair](#)’s observation that ‘the book leaves some space for others to investigate how the grand visions and plans of [the World Bank’s General Counsels] were put into practice (or not) in a variety of operational settings’. The analysis, as Isobel observes, ‘reveals only part of the picture of legal practice in the World Bank’ – it covers, in Guy’s terms, only ‘certain features of the World Bank’s legal topography’. What happens, Guy asks, ‘when the token of a particular institutional technology leaves the hands of the General Counsel’? Why only look for

law with lawyers, Isobel provokes, and empirically commit to presupposed divisions of labor that the dynamics of deformalization might have blurred or even inverted?

The cartographic metaphor returns in [Michael Riegner](#)'s perception – pushing in a somewhat opposite direction – that the book's ethnographic orientation 'cannot, and do[es] not purport to, capture the legal topography of the entire organization, let alone other institutions'. How to account for 'broader contextual influences on, and determinants of, the observed internal dynamics, be they wider trends in legal ideologies, political economy, or geopolitical configurations? This question aligns with the 'dialectic of micro and macro critique' called for by [Negar Mansouri](#), and with the sentiment of [Guy Sinclair](#) that 'the reader only rarely gets a sense of how cultural changes in the World Bank relate to wider trends in political economy, or indeed in the practices of other international organizations'.

The focus on the General Counsels as conduits in the networks that I tried to trace, these comments signal, might have made me both too myopic to perceive the entire landscape of legal change (or the 'context' through which this change can be comprehensively captured), and at the same time too far removed from the micro, mundane, material life of the law. The scale of the maps I provided might not be suitable for every academic journey. I see great value in these observations, and, while I have no ambition to write a second volume (as Isobel smilingly suggested), I have no doubt that the book could be enriched with insights into broader geopolitical or economic evolutions or by drilling down deeper in material practices and bureaucratic routines. While the book travels far into unconventional terrain – focusing, for example, on the intricacies of operational risk assessment frameworks and staff guidance notes, the careful curation of professional culture, or the internal frictions caused by political or managerial changes and unexpected legal edicts – it does not offer the socio-technical granularity that one finds, for instance, in the wondrous writing on documentation and bracketing practices by [Annelise Riles](#) or on track-change diplomacy by [Rebecca Adler-Nissen and Alena Drieschova](#). I only hope that the book inspires and provides a methodological opening to more work in these directions.

The contributions raise important questions of focus and scale for any work with relational sociology: where does the network start / stop? How do we know who to follow / where to begin? Would we not see more if we zoom further in or out? At the risk of appearing as a zealot (and with a disclaimer that most references to ANT predate Latour's ambiguous self-identification as [Schmittean-Gaia-warrior](#)), this quote in [Reassembling the Social](#) captures this predicament of focus and choice particularly well:

How ridiculous is it to claim that inquirers should 'follow the actors themselves', when the actors to be followed swarm in all directions like a bee's nest disturbed by a wayward child? Which actor should be chosen? Which one should be followed and for how long? And if each actor is made of another bee's nest swarming in all directions and it goes on indefinitely, then when the hell are we supposed to stop?

In trying to respond to these questions, the cartographic metaphor of the map – and the ambitions that it implicitly entails – might be deceptive. The book's aim is not to provide a comprehensive, coherent representation of the law as it is. If it treats the actants that compose the 'rule of law' – bodily postures, textual forms, technical templates – as tricky sources of translation, this is also how to perceive the book that gathers them together. Textual accounts are always interventions, mediations, obfuscations, selections, evasions. There is no possibility, [Latour notes](#), to enter into 'direct contact with the thing at hand via the transparent medium of a clear and unambiguous technical idiom' – there cannot be an unambiguous total picture mirroring the social world (lest we end up with the fantasy of [Borges' 'map of the empire'](#)). Perhaps, as Tommaso Soave generously suggested ([at 42:10 min](#)), we are then better served with cinematographic rather than cartographic metaphors to describe this work of writing. It involves stage-setting, scene selection, narration and the perennial difficulty of choosing the right perspective. It is not a representation but an enactment, the quality of which cannot be measured in terms of its approximation to the real, the ability to 'fix the world on paper', but by the energy and movement it is able to register and generate. In this sense, while the book places the World Bank's General Counsel at the center of the inquiry, it does not aim to narrate the 'life of law' as merely a sequence of different personalities with private idiosyncrasies and ideals. The figures of the three General Counsels I follow are conduits – nodes in a network that the book seeks to touch and trace.

In tracing this network, the micro and macro should not be treated as *a priori* existing scales ([Latour and Callon, 1981](#)). It is this dislocation between the local instantiation and the global context, the micro and macro, the part and whole, between these abstract sites that cannot be reached, that I tried to counteract. The book aspires to render visible the very production of size or scale that is perhaps too often presupposed or explained away by 'structure' or 'context' – by 'structural biases' lingering in the deep dark below. In following the movement by Wolfensohn from Wall Street to the World Bank, the unstable alignment of liberal cosmopolitans with human rights activists *as well as* elite cadres of corporate finance, the translation of postliberal risk assessment routines in the language of legal interpretation, or the awkward adoption of managerial tropes in spaces designed for institutional accountability, my purpose was to 'relocate the global' – to account for the composition of scale by following conduits of connection and avoiding the opposition between micro and macro, or the great leap to abstractions of an underlying 'structure'. Rather than committing to pre-existing presumptions of scale, the book has tried, [in Latour's terms](#), to trace 'the connections, the cables, the means of transportation, the vehicles linking places together'.

### **Endless Entanglements and Agnostic Assemblages**

One crucial and recurring question is where all this tracking and tracing, this careful (re)composition of material-discursive assemblages, ultimately leaves us. If some perceive Latour as the '[philosopher-king of neoliberalism](#)', this is at least in part because all the references in ANT to relationality, non-human agency and the continuous (re)assemblage of the social world can generate ambivalence about where we stand (and what we stand against). Indeed, as [Negar Mansouri](#) notes

and critiques, the book refrained from framing international law as formal carrier for the forces of capitalism, neoliberalism or empire. There is a concern about the book's possible anti-political agnosticism in [Gail's](#) discontent with the trope of 'entanglement' and [Negar's](#) rearticulation of its claims as instantiations of a broader phenomenon of 'disciplinary neoliberalism', 'intensifying commodification', or the 'structural power of administrative and judicial apparatuses of the capitalist core'. These are crucial interventions, and more work is needed, indeed, to show, as [Negar](#) convincingly argues, how the turns in legal practice responded to the 'rising corporate liberalism outside the bank', and how 'global production relations' demanded a 'socialization' of 'elite cadres' in international institutional life (making [Negar's](#) own writing on precisely these processes in international organizations all the more important).

Yet, my reluctance to describe law and lawyers as vessels for an already composed, systemic, external capitalist logic does not imply an absence of interest in or critical engagement with the effects of legal labor and the social world that it engenders and extends. Animating the book – and the reason why I wrote it as I did – is a deep concern about the loss of sovereign space and the erasure of possibilities of political difference (in tune with [Sundhya Pahuja's](#) work on the World Bank or [B.S. Chimni's](#) recent work on jurisdiction); about the translation of human rights from a counterhegemonic language into a technology of discipline and diagnosis; about the dilution of accountability standards in routines of risk assessment and management (putting into question the 'constitutional' quality of the secondary law that [Michael Riegner](#) highlighted in his piece); about the governmentality of risk and its servitude to a post-liberal and post-political logic of productivity. It thereby seeks to give substance precisely to the ways in which 'rising corporate liberalism' was enacted, expressed, enabled in juridical form. The professional shift from the principled posture of liberal legalism to the 'risk appetite' demanded by General Counsel Anne-Marie Leroy serves as a significant case in point.

In giving this account, however, the book does indeed differ from the recognizable style of 'critical' work on international law. It does not aim at *revelation* (of the structural forces lurking behind, above or underneath the law) but at *composition* (of the connections and conduits that, as the final chapters for example seek to show, tie together the *dispositif* of risk with which the legal form is intertwined). This critical perspective, as [Levi and Valverde note](#), trades the 'abstracted view of "structure" [for] the empirical work of studying action, actors, communication, imitation and translation, networks, knowledge flows and the continual process that constructs society itself'. It does not flee away from but, inversely, seeks to move closer to the components of the neoliberal condition (a condition that is perhaps better defined, Andrew Lang argues, \* by a disenchantment with notions of the common good than with thick substantive visions of the ideal state), and the place of lawyering in its formation. It is a mode of critique that does not find any delight, as some suggest, in the ephemeral, open-ended or contingent character of the social, but, quite the opposite, traces what makes networks last longer and extend wider. While [Dañino's](#) labor, for example, could be explained (away) and contextualized by an external and subsuming logic of 'disciplinary neoliberalism', is it not more revealing to use it as a map for a specific location of global ordering where

managerial ambition, cosmopolitan-human-rights-enthusiasm, and the deformed dynamism of corporate culture were tied together – a map that provides new openings for political intervention? What might we see and what might become possible if salient ‘social’ forces (empire, capitalism, patriarchy etc.) would not be wielded as causal explanations lingering down below but traced as material assemblages that are entangled with and extended by emergent forms of legal practice? Perhaps it is in tracking and tracing, in mapping and in multiplying, and not in the stylized posture of skepticism that ‘critique’ might regain potential? To open up our critical texts – as the contributors to this symposium have so generously done – seems like a perfect place to start.

*\* I am referring here to an unpublished paper provisionally titled ‘global disordering’.*

