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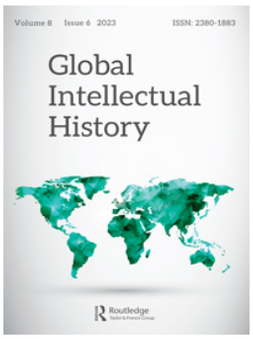

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'Contest of the Faculties' in Martti Koskenniemi's *To the Uttermost Parts of the Earth*

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Legal Imagination and International Power 1300–1870 by Martti Koskenniemi, Cambridge, Cambridge University Press, pp. 1124, price £ 74.99

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1. Introduction

As a work of intellectual history, Koskenniemi's *Uttermost* amazes with its sheer volume: its storyline spans across more than half a millennium and defies disciplinary classifications. The work assembles a narrative of how 'lawyers, theologians, and political writers of different descriptions employed old legal vocabularies in new and imaginative ways … as [they] sought to capture actions or policies with consequences outside the domestic sphere during roughly the period 1300–1870'.[1] The first part, titled 'Towards a Rule of Law', starts from thirteenth century France, then moves on to the theologians of sixteenth century Spain, proceeds to late sixteenth century Italian thinkers with emphasis on Gentili, and culminates with Grotius. From then on, the book branches out into three parts on (mostly) France, (mostly) England, and Germany each of which starts from a different point in time, but all converging into the establishment of the *Institut de droit international* in 1873. This endpoint marks, according to Koskenniemi, the starting point of 'modern international law'.[2]

By design, the intersecting stories of *Uttermost* invite the appreciation and imagination of a variety of disciplines. At its core lie three overarching narratives about normative problem resolution. First, the historical account shows how the intellectual space, which is now associated with the international legal profession, has been inhabited and dominated over time and in different geographical spaces by different disciplines engaging in a cross-generational 'contest of the faculties'.[3] Second, it also exposes how legal imagination about domains that we now called international has been shaped by locality in that it is limited by the intellectual tools available in particular times and places.[4] Third, *Uttermost* makes an argument about the relationship between legal imagination and international power against the historical background of state-building in Western Europe and its colonialist expansion. *Uttermost* emphasises that the object of legal imagination in this context, European power, is not, nor has been understood as,

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purely public or private, but a temporally and locally specific configuration of both.[5] As Koskenniemi puts it, *'[s]overeignty and property are the yin and yang of European power'*.[6]

In many respects, reading *Uttermost* is similar to entering a room in the middle of a seminar. Writing about it feels more like tip-toeing clumsily to find a sit. In this brief essay, I would like to convey how *Uttermost*'s main claims resonate to – and perhaps can be distorted by – someone whose professional training is limited to international law. From this perspective, *Uttermost* can be read as a synecdoche for a latent 'contest of the faculties' about the past of international law and its relationship to its present.[7] On the one hand, *Uttermost* appears as a continuation of Koskenniemi's thought about the identity of international law as a discipline and as an object of historical inquiry. On the other hand, *Uttermost*'s main narratives seem as an attempt to add motion and granularity to the understanding of the structure of international law, but also have certain ambiguities and limitations. At any rate, *Uttermost* culminates a groundbreaking line of inquiry centred around a profound understanding of the international legal profession and its symbols that will remain undoubtedly a focal point for reference and critique.

2. 'Contest of the Faculties' about the Past of International Law: From Structure to History

In many respects, *Uttermost* situates itself as part of a broader picture both explicitly, but mostly through subtle cues. Most of the chapters of *Uttermost* start *in media res* with a quote from one of its protagonists' telling moments or with a prothysteron evoking a sense of a 'latent and gesturally articulated dialogue'.[8] In fact, from the very first lines, Koskenniemi cautions that *Uttermost* 'is not a history of international law. Instead, it is a history of legal imagination as it operates in relation to the use of power in contexts that we would today call international'.[9] Koskenniemi introduces the reader in the midst of contestation about the object of his analysis. The text provides some clues, but allows the reader some space to speculate about the reasons for this circumspection towards a 'history of international law' and the potential tensions that simmer underneath.

For an imaginative reader, the opening lines of *Uttermost* imitate the opening of Koskenniemi's breakthrough book, *From Apology to Utopia* (*FATU*):[10] 'This is not only a book in international law. It is also an exercise in social theory and in political philosophy'.[11] With these sentences, Koskenniemi foreshadowed the difficulty of delineating international law as a discipline. International legal norms purport to be objective, that is, both verifiable by reference to state conduct (concrete) and capable of overruling that conduct (normative) at the same time.[12] However, these two premises are 'both exhaustive and mutually exclusive'.[13] Grounding the identity of international law on its objectivity would entail that '[n]o identifiable intellectual realm has emerged between historiography and politics'.[14] Rather, Koskenniemi describes international law as an argumentative practice which is structured around the opposition of descending (from the normative) and ascending (from the concrete) patterns of justification and, by extension, around a latent 'conflict of the faculties'.[15] International legal concepts have a degree of autonomy, like a language or a vocabulary, and the opposition of patterns of justification constitute 'a key part of its (generative) grammar'.[16] However, this grammar only delimits the form in which international legal arguments are made, not their

substance.[17] As a result, the resolution of a normative problem 'cannot proceed by interpreting what *is already* there [, but] … involves an attempt to *imagine* … ways to cope with social conflict'.[18]

In *Uttermost*, this theory about the structure of the legal argument appears only implicitly at first. 'Legal imagination' is defined as a 'form of institutional action that takes place in a … normatively indeterminate … context of controversy through the authoritative use of language'.[19] Yet, this epistemological ambivalence is not the stated reason that *Uttermost* is 'not a history of international law'.[20] Its history is located at a time 'before international law'.[21] Indeed, Koskenniemi explicitly recalls his point in *The Gentle Civilizer of Nations* that 'modern' international law emerged in late nineteenth century by a group of Western European lawyers with a specific political agenda for Europe and the colonised world.[22] In *Gentle Civilizer*, Koskenniemi sought to break off from what he called 'epochal' and 'biographical' approaches to historiography on international law that reduced the field either into 'hierarchical blocs' of domination by one or the other Great Power or 'the writings of few great minds'.[23] He opted for an understanding of 'history as narratives' which take stock of stories about the doctrinal past, but also re-tell them so as to make political or methodological points.[24] Unsurprisingly, the point about the emergence of 'modern' international law was (and continues to be) received with scepticism by some commentators.[25] What is more, the publication of *Gentle Civilizer* not only marked a distinct kind of a historiographical turn of international lawyers,[26] but also coincided with the international, global, or transnational turn of intellectual and legal historians.[27] In this context, his 'intuition' became emblematic of a 'contest of the faculties' for the authoritative use of language about the intellectual past of international law.[28]

Much of this debate lies in the background of *Uttermost*, despite its portrayal as 'an extended response to … those [who] remained puzzled about how to think about the earlier times'.[29] The work contains no long exposition on methods nor does it moor explicitly to 'any strictly identifiable historiographical method'.[30] Rather, *Uttermost*, much like the histories that comprise it, has more of a performative character;[31] it proceeds by showing.[32] For the most part, utterances are placed insistently within their context.[33] Social, economic and intellectual surroundings are scaled down to achieve an astounding level of texture.[34] At the same time, choices of 'scope' are rarely justified.[35] To situate his stories within a broader frame, Koskenniemi banks on his reader's expectations and reactions assuming a certain degree of familiarity with the figures involved, their interlocutors, and the broader context of their activities.[36] Context(ualism)-breaking moments inevitably occur and sometimes they are more than hidden cameos.[37] To illustrate this point, Koskenniemi attacks Gentili's method as jurisprudentially limited in its narrow understanding of *ius gentium*, the source of legal obligation, and its view of the state as opposed to the ruler.[38] In another instance, Koskenniemi comments on Bentham that 'the man who coined "international law" also gave prominence to a form of legal-political thought where nothing of the kind could have an independent existence as against structures of economic thought'.[39] This inevitably leads to methodological questions: was their imagination 'not law', 'bad law', or bound to 'home' and, hence, not international enough?[40]

What is at stake is the individuation and temporality of international law as a discipline. On its face, the point might sound banal, petty even. On the one hand, in a

more recent response, Koskenniemi relegates the point about *Uttermost* being a 'prehistory' of international law into the peripheral 'addressed in the briefest of terms' in the epilogue.[41] He maintains that much of the intellectual baggage from the time recounted in *Uttermost* is still available for 'legal bricoleurs'.[42] On the other hand, and in the same breath, he doubles down on the claim that the meetings of *Institut de droit international* embodied a 'spirit of international professionalism' which was markedly different than what went before.[43] Ultimately, experts examine the world from a 'home' that comes with its own history and intellectual sensitivities and limitations.[44] So, what is 'home' for Koskenniemi? In another rejoinder, Koskenniemi describes himself as 'an international lawyer from Northern Europe, having practiced with and written about international rules many of which have had the bold ambition of addressing humanity as a whole'.[45] Quite unsurprisingly, the form against which legal imagination about international power in the past is compared, contrasted, and critiqued resembles the structure of the international legal argument elaborated in *FATU*.[46]

3. 'Contest of the Faculties' about the Present of International Law: The Duality of 'European Power'

Despite his insistence on context, Koskenniemi situates *Uttermost* as a history 'of the present'.[47] This implies a commitment not only to produce an account about the intellectual past, but also to intervene in the present works of international law.[48] In fact, one of the main motivations for Koskenniemi's transition from structure to history has been to provide an empirical argument on if and how international law prefers certain outcomes or distributive choices over others despite its substantive indeterminacy.[49] The way that the intellectual history of *Uttermost* serves this critical agenda is nuanced operating both as an instrument and as an object for critique.

One striking feature of *Uttermost* is that virtually all of its protagonists are European men.[50] Yet, Europe is absent from the title and many of the introductory remarks and appears enigmatically as a proviso to or a roadmap for how to think about its selected timeframe.[51] There is no general explanation as to whose legal imagination is chosen for exposition and, most importantly, why.[52] In fact, *Uttermost* explicitly sets aside the question whether an intellectual prehistory of international law can (or should) be written solely as a soliloquy of European men so as not to 'engage in interminable discussions about universalism and particularism'.[53] Rather, the book starts from the premise that 'imagination begins at home' as a shorthand arguably for something much more concrete:[54]

> To invoke international law … is a European tradition. It is a European tradition in the same sense that wearing a tie at formal meetings is. Everyone can do it. But it has a context and a history. One can do international law better or worse, but the criteria of excellence have been set by Europeans: Cicero and Roman law, Catholic intellectuals, Vitoria in the sixteenth or Louis le Fur in the twentieth century, protestant activists, Hugo de Groot in the seventeenth, or Johann Caspar Bluntschli in the nineteenth century … None of these men thought of Europe in merely local terms, but generalized it into a representative of the universal.[55]

For Koskenniemi, the question is not whether the history of international law is Eurocentric, for that categorically and unabashedly is, but how to devise a strategy to deal with it critically. First, by approaching these figures through the anthropological lens of *bricolage*, Koskenniemi appears to 'exoticize' or 'provincialize' their legal imagination.[56] Second, by providing a 'general', or at least extensive, record of the 'international law aspects of the colonial encounter', he purports to shed light on its significance for European legal imagination and, by extension, for international law.[57]

This strategy, however, comes with pitfalls and potential blind spots that relate not so much to the past, but to the present. On the one hand, a possible blind spot of an agenda built around *bricolage* is locality: where does legal imagination take place? For the most part, the protagonists of *Uttermost* remained literally and metaphorically in their respective homes in western Europe, stuck in Salamanca, Leiden, Paris, London, or Göttingen.[58] However, in previous writings, Koskenniemi accepts that a possible strategy for de-centring international law is to direct attention to the mutual 'hybridization' of legal concepts as a result of the 'colonial encounter'.[59] This idea is premised on the assumption that such destabilisation does not necessarily take place through the emergence of entirely novel concepts and categories compared to those associated with Eurocentrism.[60] It may also occur through processes of 'appropriation' or even 'translation' of these categories.[61] As a work with historically 'totalising' aspirations,[62] *Uttermost* seems to remove the stem, or at least seriously curtail the prospects, of this line of inquiry by setting aside the question altogether.

On the other hand, focusing on the 'colonial encounter' as *the* foundational moment of the discipline could have the implication that international law can only be an instrument of European imperialism through and through.[63] Koskenniemi is very much conscious of this association.[64] In fact, *Uttermost* does not focus solely on this issue,[65] nor does it understate its significance aiming explicitly to make a contribution to critical legal history.[66] The enigmatic, but eminently quotable, conclusion that '*[s]overeignty and property are the yin and the yang of European power*' is certainly open to interpretation and will certain remain a focal point for critique.[67] A modest reading of this conclusion would suggest that the history of Eurocentrism of international law cannot be understood purely in terms of political geography or economy; one vocabulary constitutes the blind spot of the other.[68] In this way, *Uttermost*'s stories end up solidifying perhaps a broader 'anti–anti-disciplinarian' point.[69] In Koskenniemi's words, the aspirations of international law might be incapable, after all, to be met by recourse to philosophy, economics, international relations, or moral reasoning.[70]

4. Conclusion

For some readers, *Uttermost* will come across as 'the last modern book' on the intellectual prehistory of international law 'by the last objective writer'.[71] Others might hold the book up to or against that standard. Still others might scoff at the hackneyed recitation of Kennedy's provocation in another impressionistic piece about Koskenniemi's work. Ever since its publication, dozens of scholars have drawn their own vectors upon *Uttermost* and many more will continue to do so including by drawing tangents upon those vectors. This speaks to the success of the work. After all, *Uttermost* is a history of perspective as much as it is a history of authority.

To this reader, *Uttermost*'s history resonated more as a latent debate about the doctrine's almost heraldic past and its problematic relationship with its present. From the perspective of the past, *Uttermost* reinforces a periodisation centred around the familiarity of its readers with symbols of a particular vocabulary, an Esperanto of sorts, that for the most part did not yet exist at that period. Conversely, it serves also as a symbol about the limitations of etymologies and their propensity to evolve into mythologies. From the perspective of the present, *Uttermost* attempts to intervene in a discourse that revolves around the artificiality and biases of this vocabulary today. In a way, it provides a *tour d'horizon* about how alternative disciplinary vocabularies in the past have been equally contrived and partial to certain choices. For this reader, the combined reading experience of *Uttermost* and *Gentle Civilizer* evokes the image of statesmen and capitalists in the late nineteenth and early twentieth century feuding about the architectural style of the Peace Palace, perhaps the symbolic 'home' of international law. Should look more like the Parthenon or St Peter's Basilica? Interestingly, the actual architectural style of the building ended up imitating sixteenth-century Holland, the era of Grotius, which to them and to us now, appears quite provincial.[72] Meanwhile, ever since the 1970s, the Judge's Wing, where the actual deliberation takes place, has moved to a building of a much more functionalist style.

Notes

1. Koskenniemi, *Uttermost*, at 2.
2. Ibid at 1 and 966–7; Koskenniemi, *Gentle Civilizer*, at 4.
3. Koskenniemi, *Uttermost*, at 954–5.
4. Ibid. at 8–9.
5. Ibid. at 959.
6. Ibid. (emphasis in the original).
7. See, similarly, d'Aspremont, *RG*, at 265 ('a happening about centuries of happenings or … a space about the uses of spaces then and now').
8. Bhuta, "Like a Tree in the Garden," 1040; e.g. Koskenniemi, *Uttermost*, at 19 ('They arrived already before sunrise'); 117; 212 ('The setting was familiar.'); 280; 349; 417; 488; 561; 622; 797.
9. Koskenniemi, *Uttermost*, at 1.
10. Ranganathan, *Völkerrechtsblog*.
11. Koskenniemi, *FATU*, at 1.
12. ibid at 58.
13. ibid at 59.
14. ibid at 16.
15. ibid at 67.
16. ibid at 67 and 565.
17. Hernández, *NILR*, at 196.
18. Koskenniemi, *FATU*, at 557 (emphasis in the original).
19. Koskenniemi, *Uttermost*, at 7–8.
20. Bhuta, "Let Us Suppose That Universals," 945.
21. Nouwen and Koskenniemi, *EJIL*, at 1347.
22. Koskenniemi, *Uttermost*, at 1; see, Koskenniemi, *Gentle Civilizer*, at 4: ('[M]odern international law did not "begin" at Westphalia or Vienna, and … the writings by Grotius, Vattel, G. F. von Martens or even Wheaton were animated by a professional sensibility that seems distinctly different from what began as part of the European liberal retrenchment at the meetings of the *Institut de droit international* and the pages of the *Revue de droit international et de législation comparée* from 1869 onwards.')

23. Koskenniemi, *Gentle Civilizer*, at 6–8.
24. Ibid. at 9.
25. Hunter, *GIH*, at 19; Nuzzo, EJIL, at 957; less strongly, Cryer, *MLR*, at 953.
26. Bandeira Galindo, *EJIL*, at 541.
27. E.g. Duve, *RG*, at 258.
28. Koskenniemi, *RG* Response, at 294. For a thorough mapping of the discourse: see Orford, *International Law and the Politics of History*, chs 4–6.
29. Koskenniemi, *Uttermost*, at 1.
30. Koskenniemi, *Völkerrechtsblog*.
31. Halpérin, *RG*, at 268.
32. Bhuta, "Let Us Suppose That Universals," 944.
33. Koskenniemi, *Uttermost*, at 11–12.
34. Bhuta, "Like a Tree in the Garden," 1040.
35. On the methodological point, see Koskenniemi, *TICLJ*, at 239.
36. Ranganathan, *Völkerrechtsblog*.
37. See, again, Koskenniemi, *TICLJ*, at 239.
38. Koskenniemi, *Uttermost*, at 268–71.
39. ibid at 682.
40. See, e.g., Iurlaro, *EJIL*, at 969; Poole, *EJIL*, at 1011; Koskenniemi, *Uttermost*, at 956.
41. Koskenniemi, *RG* Response, at 294.
42. ibid.
43. ibid.
44. ibid; similarly, Orford, *International Law and the Politics of History*, at 315.
45. Koskenniemi, *EJIL* Response, at 1043.
46. See, Koskenniemi's response in Kemmerer, *JHIL*, at 11–2 about the ambivalence between context and structure.
47. Koskenniemi, *Uttermost*, at 12–3.
48. Orford, *International Law and the Politics of History*, at 11.
49. Koskenniemi, *FATU*, at 606–7; cf n17–18 and text.
50. Koskenniemi, *Uttermost*, at 12.
51. ibid at 9; see also n1and 9 and text.
52. Bhuta, "Let Us Suppose That Universals," 945; Satia, *EJIL*, at 1023.
53. Koskenniemi, *Uttermost*, at 9; cf, e.g., Chimni, at 329; Singh, *Völkerrechtsblog*.
54. Koskenniemi, *EJIL* Response, at 1043.
55. Koskenniemi, International Law in Europe, at 114.
56. Koskienniemi, *RG* Histories, at 174.
57. Ibid at 172.
58. cf Koskenniemi, *EJIL* Response.
59. Ibid at 173–4.
60. Chimni, at 330.
61. See, e.g., Becker Lorca, at 22; Obregón, at 364; also Chakrabarty, at 4 and 19.
62. Nouwen and Koskenniemi, *EJIL*, at 1347.
63. See, e.g., Anghie, at 29 and 313.
64. Koskienniemi, *RG* Histories, at 168–9.
65. Koskenniemi, *Uttermost*, at chs 2, 7, and 10.
66. ibid at 12 and 957.
67. Koskenniemi, *Uttermost*, at 959 (emphasis in the original); Bhuta, "Let Us Suppose That Universals," 946.
68. Koskenniemi, *Uttermost*, at 957; but see, e.g., for a combined approach: Tzouvala, at 2.
69. For nomenclature see Rasulov, *LJIL*, at 642.
70. Koskenniemi, *RG* Response, at 294; see, similarly, Quiroga-Villamarín, *GIH*, at 9.
71. Kennedy, Review, at 387.
72. Charlesworth, at 12.

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Bibliography

Bandeira Galindo, George Rodrigo. "Martti Koskenniemi and the Historiographical Turn in International Law." *European Journal of International Law* 16, no. 3 (2005): 539–559. doi:10.1093/ejil/chi130.

Becker Lorca, Arnulf. *Mestizo International Law: A Global Intellectual History 1842-1933*. Cambridge: Cambridge University Press, 2014.

Bhuta, Nehal. "'Let Us Suppose That Universals Do Not Exist': *Bricoleur* and *Bricolage* in Martti Koskenniemi's *To the Uttermost Parts of the Earth*." *European Journal of International Law* 32, no. 3 (2021): 943–948. doi:10.1093/ejil/chab079.

Bhuta, Nehal. "'Like a Tree in the Garden of State Sciences': From *Staatswissenschaften* to External Public Law – Chapter 12: The End of Natural Law: German Freedom 1734–1821." *European Journal of International Law* 32, no. 3 (2021): 1035–1041. doi:10.1093/ejil/chab080.

Chakrabarty, Dipesh. *Provincializing Europe – Postcolonial Thought and Historical Difference*. Princeton: Princeton University Press, (2000). Reissue with new preface. Princeton: Princeton University Press, 2008. Page references are to the 2008 edition.

Charlesworth, Hilary. "The Art of International Law." *Proceedings of the ASIL Annual Meeting* 116 (2022): 7–24. doi:10.1017/amp.2023.31.

Chimni, Bhupinder S. *International Law and World Order*. 2nd ed. Cambridge: Cambridge University Press, 2017.

Cryer, Robert. "'Dejà vu in International Law'. Review of *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960* by Martti Koskenniemi." *The Modern Law Review* 65, no. 6 (2002): 931–949.

d'Aspremont, Jean. "Legal Imagination as Resistance." *Rechtsgeschichte – Legal History* 2021, no. 29 (2021): 265–266. doi:10.12946/rg29/265-266.

Duve, Thomas. "»This Is Not a History of International law«. A Brief Introduction into the Debate on Martti Koskenniemi's to the Uttermost Parts of the Earth." *Rechtsgeschichte – Legal History* 2021, no. 29 (2021): 258–261. doi:10.12946/rg29/258-261.

Halpérin, Jean-Louis. "Une histoire transnationale des imaginations nationales?" *Rechtsgeschichte – Legal History* 2021, no. 29 (2021): 267–268. doi:10.12946/rg29/267-268.

Iurlaro, Francesca. "Disenchanting Gentili: Chapter 3: Italian Lessons. Ius Gentium and Reason of States." *European Journal of International Law* 32, no. 3 (2021): 965–971. doi:10.1093/ejil/chab082.

Hernández, Gleider. "Law's Determinability: Indeterminacy, Interpretative Authority, and the International Legal System." *Netherlands International Law Review* 69, no. 2 (2022): 191–219. doi:10.1007/s40802-022-00222-0.

Hunter, Ian. "About the Dialectical Historiography of International Law." *Global Intellectual History* 1, no. 1 (2016): 1–32.

Kemmerer, Alexandra. "We Do Not Need to Always Look to Westphalia … : A Conversation with Martti Koskenniemi and Anne Orford." *Journal of the History of International Law* 17 (2015): 1–14. doi:10.1163/15718050-12340032.

Kennedy, David. "Review of *Apology to Utopia: The Structure of the International Legal Argument* by Martti Koskenniemi." *Harvard International Law Journal* 1, no. 31 (1990): 385–391.

Koskenniemi, Martti. *From Apology to Utopia: The Structure of the International Legal Argument*. Helsinki: Lakimiesliiton kustannus, 1989. Reissue with new epilogue. Cambridge: Cambridge University Press, 2005. Page references are to the 2005 edition.

Koskenniemi, Martti. *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960*. Cambridge: Cambridge University Press, 2001.

Koskenniemi, Martti. "Histories of International Law: Dealing with Eurocentrism." *Rechtsgeschichte – Legal History* 2011, no. 19 (2011): 152–176. doi:10.12946/rg19/152-176.

Koskenniemi, Martti. "Histories of International Law: Significance and Problems for a Critical View." *Temple International and Comparative Law Journal* 27, no. 2 (2013): 215–240.

Koskenniemi, Martti. "International Law in Europe: Between Tradition and Renewal." *European Journal of International Law* 16, no. 1 (2005): 113–124. doi:10.1093/ejil/chi105.

Koskenniemi, Martti. "Response – »*Imagination begins at home*«." *Rechtsgeschichte – Legal History* 2021, no. 29 (2021): 292–294. doi:10.12946/rg29/292-294.

Koskenniemi, Martti. "Response: Storytelling." *Völkerrechtsblog* (2021). doi:10.17176/20210827-112551-0.

Koskenniemi, Martti. "'Stuck in Salamanca': A Response." *European Journal of International Law* 32, no. 3 (2021): 1043–1048. doi:10.1093/ejil/chab073.

Koskenniemi, Martti. *To the Uttermost Parts of the Earth: Legal Imagination and International Power, 1300-1870*. Cambridge: Cambridge University Press, 2021.

Koskenniemi, Martti, and Sarah M. H. Nouwen. "The Politics of Global Lawmaking: A Conversation." *European Journal of International Law* 32, no. 4 (2021): 1341–1352. doi:10.1093/ejil/chab107.

Nuzzo, Luigi. "The Law That Wasn't There – Chapter 2: The Political Theology of Ius Gentium – The Expansion of Spain 1524–1559." *European Journal of International Law* 32, no. 3 (2021): 957–962. doi:10.1093/ejil/chab076.

Obregón, Liliana. "Martti Koskenniemi's Critique of Eurocentrism in International Law." In *Law of International Lawyers: Reading Martti Koskenniemi*, edited by Wouter Werner, Marieke de Hoon, and Alexis Galán, 360–392. Cambridge: Cambridge University Press, 2012.

Orford, Anne. *International Law and the Politics of History*. Cambridge: Cambridge University Press, 2021.

Poole, Thomas. "Time for Federalist Speculation – Chapter 9: Giving Law to the World – England, 1635–1830." *European Journal of International Law* 32, no. 3 (2021): 1009–1015. doi:10.1093/ejil/chab077.

Quiroga-Villamarín, Daniel R. "'Friendly Fire: The Politics & Elective Affinities of International Law and the Politics of History'. Review of *International Law and the Politics of History* by Anne Orford." *Global Intellectual History* (2023): 1–16. doi:10.1080/23801883.2023.2183879.

Ranganathan, Surhabi. "Dastan-e Western Civ: Martti Koskenniemi as Storyteller." *Völkerrechtsblog* (2021). doi:10.17176/20210826-112553-0.

Rasulov, Akbar. "*From Apology to Utopia* and the Inner Life of International Law." *Leiden Journal of International Law* 29 (2016): 641–666. doi:10.1017/S0922156516000248.

Satia, Priya. "Risking a Colonial Anticolonialism – Chapter 10: Global Law: Ruling the British Empire." *European Journal of International Law* 32, no. 3 (2021): 1017–1026. doi:10.1093/ejil/chab075.

Singh, Prabhakar. "The Koskenniemi Sutra: Britain, Empire, and Legal Imaginations." *Völkerrechtsblog* (2021). doi:10.17176/20210824-232612-0.

Tzouvala, Ntina. *Capitalism as Civilization: A History of International Law*. Cambridge: Cambridge University Press, 2020.