



# The Perils of Global Legalism

*Eric A. Posner*

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## **The Perils of Global Legalism** Eric A. Posner

The first months of the Obama administration have led to expectations, both in the United States and abroad, that in the coming years America will increasingly promote the international rule of law—a position that many believe is both ethically necessary and in the nation’s best interests.

With *The Perils of Global Legalism*, Eric A. Posner explains that such views demonstrate a dangerously naive tendency toward legalism—an idealistic belief that law can be effective even in the absence of legitimate institutions of governance. After tracing the historical roots of the concept, Posner carefully lays out the many illusions—such as universalism, sovereign equality, and the possibility of disinterested judgment by politically unaccountable officials—on which the legalistic view is founded. Drawing on such examples as NATO’s invasion of Serbia, attempts to ban the use of land mines, and the free-trade provisions of the WTO, Posner demonstrates throughout that the weaknesses of international law confound legalist ambitions—and that whatever their professed commitments, all nations stand ready to dispense with international agreements when it suits their short- or long-term interests.

Provocative and sure to be controversial, *The Perils of Global Legalism* will serve as a wake-up call for those who view global legalism as a panacea—and a reminder that international relations in a brutal world allow no room for illusions.

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