

**“Transnational networks and Elite Self-Empowerment” by Cristina E. Parau
(Oxford University Press 2019)**

Review written by a British Academy reviewer

This monograph is an original and in-depth treatment of a subject of growing importance, a triumph for scholarly engagement, intellectual passion and effective inter-disciplinary engagement.

First, the subject is a fresh and understudied one: assumptions about the expansion of judicial power in emerging democratic societies have been allowed to be so completely taken for granted that no alternative to the move appears thinkable to those who drive such changes. Democracy used to be nearly exclusively about the realisation of the popular will through legislative elections, with systems with judicial override power being the exceptions that proved the rule. That is no longer the case. The normalcy of court oversight of the outputs of democratic legislatures has rather snuck up on us and it has enjoyed free range in those systems that have started anew their forms of governing after the end of the Cold War, i.e. in those countries in central and eastern Europe that (as already indicated) are the main focus of Dr Parau’s attention. That she has much to say on the topic is a tribute to the freshness rather than the over-loquaciousness of her voice. Dr Parau sees in the countries that she studies an hegemonic-like commitment to this change among those whose roles in their societies make them the drivers of how grand abstract ideas like ‘democracy’ and ‘the constitution’ are understood. These are the elites whose self-empowerment she explores, a capacity for intellectual self-aggrandisement that is further assisted and enabled by the ‘transnational networks’ that she also has in her sights. It is probably true that no one with the requisite knowledge ever really does this, being (almost by definition) part of that in relation to which critical distance is required. Dr Parau’s immense achievement here is in building a strong case about the influence of such communities of the back of a deep analysis of the scholarly literature, a strong grasp of relevant histories, all set against and supported by an extensive series of interviews, dispassionately conducted, which bring supportive evidence from multiple front-lines.

Second there is the passion that suffuses the work. Dr Parau engages with the material in a way that risks crossing over into passionate denunciation: a risk that crucially - and this is an exceptional achievement - never quite spills over into polemic. The passion gives the reader direction, the book focus and the narrative energy but in being controlled in the way it is it adds greatly to rather than diminishes the work. Many a critique of this or that country and/or international organisation is spoiled by shrillness, by vehemence – not the case here: Dr Parau’s perspective is always interesting and at times gripping.

Thirdly the inter-disciplinarity. The politics (broadly speaking) of the judicial branch is vastly understudied, and when done often done badly, because it lies in a ‘black hole’ between disciplines: the lawyers stay away from it because they are afraid of the political side, while the government and political scientists turn away because they are intimidated by all those impenetrable judicial decisions. Dr Parau avoids the black hole by the simple expedient of not getting drawn into the case-law analysis, preferring instead to look at the judicial branches under scrutiny. Vital to the successful completion of this project was the absence of unnecessary respect for the judicial figures evidencing the elite networks of which Dr Parau is critical. It is in the end a political science work engaging with law, not lost in a fatuous ‘no-man’s land’ between.