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Gel'man, Vladimir. *Nedostoinoe pravlenie: Politika v sovremennoi Rossii*. St. Petersburg: European University Publishers, 2019. 254 pp. R300.00. ISBN 978-5-94380-286-7.

For a wealthy country, Russia is governed very poorly. It has high levels of corruption, overbearing regulation, weak rule of law, and low levels of public good provision. Why? According to Vladimir Gel'man, "bad governance" (*nedostoinoe pravlenie*) in Russia is not the result of historical legacies or the personal characteristics of Russia's leadership. Rather, it emerges as a natural product of a non-democratic system in which rational political elites are trying to maximize their access to power and privilege. Such impulses give Russia's leaders a strong incentive to maintain a system that combines autocracy, crony capitalism, and a politicized bureaucracy. Through an impressive synthesis of Russian and Western scholarship, Gel'man outlines how this type of system undermines good governance in Russia. The list of problems is extensive. Local officials are rewarded for political loyalty rather than good governance. Formulaic evaluation of local officials by Moscow prevents policy experimentation, innovation, or competition among agents. Rent-seeking is rampant. Underlying all these problems is a lack of democratic accountability mechanisms that might push Russia's leaders to improve governance. Gel'man moves beyond existing literature by showing how all of these problems fit together to create a vicious cycle of poor governance.

Against this backdrop, Gel'man firmly rejects the idea of authoritarian modernization. The current system simply snuffs out well-intentioned efforts at top-down reform. Real deregulation is stymied by entrenched interests. Long-horizon reforms are crushed if they threaten rent-seeking. This leads Gel'man to a scathing critique of Russia's liberal reformers. They were wrong to think that any meaningful policy reform is possible in the current political system.

System is a key word here. Gel'man is convinced that the problem lies not in Russia's history or in Putin's character, but rather in the particular political equilibrium that has taken hold in Russia. This is a crucial point for those who want to see Russia succeed. Some believe leadership change could improve governance in Russia, but Gel'man isn't so sure. Regime change, according to Gel'man, is a necessary but not sufficient condition for good governance in Russia. Any well-intentioned leader who follows Putin would be confronted by the same systemic pressures that undermine good governance in Russia today.

Where does this leave Russia? How can it escape this vicious cycle? Gel'man offers no silver bullet, but he argues that democratization seems like the best bet. Democracy doesn't always bring good governance, but it has a much better track record than autocracy.

Published in Russian, the book is directed at a well-informed Russian readership, but it should also prove useful to readers outside Russia. It provides the most comprehensive and erudite synthesis of the literature on governance in Russia to date. The book promotes the view that Russia is neither trapped by its history nor dependent on the whims of a single leader. This isn't a sexy interpretation, but it's the correct one. Western discourse on Russia will benefit from more exposure to books such as this.

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Oda, Hiroshi. *Russian Arbitration Law and Practice*. Oxford: Oxford University Press, 2020. 256 pp. $190.00. ISBN 978-0-1987-1244-2.

The past decade has witnessed a fundamental reform of private arbitration in Russia. In *Russian Arbitration Law and Practice*, Hiroshi Oda masterfully traces the twists and turns of this reform process, arguing that it was motivated by making "Russia an attractive venue for arbitration with the expectation of soliciting foreign business and preventing the 'offshorization' of Russian business" (p. v).

As Oda explains, the availability of arbitration on a widespread basis to resolve business disputes is a relatively recent development for Russia. During the Soviet era, state enterprises resorted to state *arbitrazh* when problems arose. The only disputes that ended up in arbitration were those involving foreign companies, which were few and far between. Two commissions—the Foreign Trade Arbitration Commission and the Maritime Arbitration Commission—enjoyed a monopoly over this activity. But the Soviet Union had no comprehensive law on arbitration.

With the collapse of state socialism and the introduction of market mechanisms, arbitration became an option not just for companies doing business with foreign firms, but also for companies whose business was limited to the domestic marketplace. In the 1990s, private arbitration tribunals (known as *treteiskie sudy*) sprouted like mushrooms and, like mushrooms, flourished in the shadows. Oda details the shortcomings of the initial law governing these tribunals, which gave rise to so-called "pocket" *treteiskie sudy*, many of which were created by large companies to handle their own disputes. The capacity of these tribunals, claimed to be impartial and independent, was questioned by many, including the courts that were subsequently asked to enforce their awards.

The 2015 reforms, which took the UN Commission on International Trade Law (UNCITRAL) Model Law as their lodestar, were aimed at professionalizing arbitration. In doing so, Russia followed the example of most Western market economies. All existing *treteiskie sudy* had to apply for recertification. Only four private arbitration tribunals were ultimately licensed. Oda argues that, in this respect, the reforms likely overshot the mark, terminating both healthy *treteiskie sudy* as well as the dysfunctional "pocket" tribunals.

The new legislation had the effect of softening Russian courts' attitudes toward arbitration. The *arbitrazh* courts had been hostile to the very idea of arbitrating corporate disputes (especially those grounded in shareholder agreements that opted out of the courts' jurisdiction in favor of arbitration). The new law clarified the arbitrability of such disputes. Oda does a good job of comparing the skepticism of the Higher *Arbitrazh* Court (prior to its 2014 demise) to the greater openness of the Russian Constitutional Court through capsule descriptions of key cases. Some pockets of resistance remain, such as disputes involving state and municipal property, which the courts have declared to be non-arbitrable.

Oda's monograph is essential reading for scholars of Russian commercial law as well as practitioners. He wisely includes a copy of the arbitration law, as amended through 2018, as an appendix. His highly technical approach, which may be off-putting for the casual reader, will be embraced by specialists. There is no tradition of legislative history in Russia, which makes Oda's detailed record of this important reform process most welcome. A deeper analysis of the reasons