Mr. Mothercountry is a new perspective on the origins of the Rule of Law, embedded with historical evidence on how this concept came to be along with the rise and development of the British Empire. The author focuses the narrative on the Stephen’s life and his achievements as a public servant for the British Empire, using as examples the colonies of Sierra Leone and India. Stephen’s dedication to his work and seek for justice provided him with the nickname of Mr. Mothercountry. This ethnographical perspective on the Rule of Law enables the reader to think more broadly about the entanglement between Rule of Law, institutions and power. McBride shakes the grounds of modern views on the Rule of Law by demystifying complex and universal understandings of the Rule of Law and instead shows that the very origins of the term took place within a family practice.

While reflecting back on the origins of the Rule of Law, one could probably imagine that this concept had similar origins as modern constitutions, in which a group of intellectuals is hired to compile a list of rights. Instead, McBride explains: “what I assumed would be codes of law produced by the anonymous, collective and impersonal administrative genius of the British nation was actually a family project” (p. 34). Even if, in the beginning of the XIX century, England was the cradle for a significant number of philosophers and law scholars, such H.L.A. Hart, the Rule of Law was born and raised in the familiar environment on the several generations of Stephens.

Acknowledging McBride’s narrative on Stephen’s life is crucial for understanding Rule of Law as a phenomena rather than a static concept and this is clearly one of the author’s biggest contributions. In reality, the author problematizes the fact that “two central ideas appear in many invocations of the Rule of Law today: that it is an universal value that can be achieved in every country on earth given the will to do so, and that it is a precondition of function political and economic orders” (p. 44). McBride wisely argues that the essence of Rule of Law is not fairly described by modern literature and she invites the reader to see the origins of the Rule of Law through Stephen’s perspective.

Usually, important social actors do not know their importance in life, and this was definitely Stephen’s case as the main administrator of the British Colonies. Mr. Mothercountry believed in institutions and trusted in “courts of justice and in our high court of Parliament (…) to vindicate the rights, and to arrest the encroachments of them all” (p. 43). Although he trusted in institutions, he was not aware that he was an extension of the British Empire himself, by exercising his role as a public servant in a faithful manner. Moreover, Stephen was much less aware that he was managing the draft of what would later be called the Rule of Law.

Contrasting with his fierce performance as a public servant, Stephen eventually questioned the validity of norms outside of the British territory. McBride explains that “James Stephen vociferously resisted the idea that British Law could be enforced outside of British territory and insisted that it would be the end of ‘positive law’” (p. 66). Stephen’s resistance to the extraterritorial application of law clashes
with the Imperialist view on the Rule of Law presented by McBride, as she foresees the concept as “handmaiden for economic expansion, an instrument of social control and propaganda that accompanied the violence of the British rule” (p. 5). Bearing in mind this contrast between Mr. Mothercountry perspective and the British Empire aspirations, the narrative demonstrates that the abolitionist tendencies perceived by the Clapham Sect influenced the Rule of Law and later in time, the British Empire no longer supported slavery. Not surprisingly, this lead to a concurrence between what Stephen morality found to be the correct thing to do and the repercussion of that in his role as a public servant.

To understand how the spread of the Rule of Law practice took place in different colonies, the author focus some of the empirical chapters on the colonies administered by Stephen. The British Empire gathered practical experience from Stephen’s experience in Sierra Leone (Chapter 3) to apply it later in India (Chapter 5), interfering drastically in the way that positive law was seen in the country. For example, although India has a civil code that accommodates for heterogeneity on the civil law to fit in the several religions and legal pluralism present in the country, the criminal code imposed by the British Empire still prevails, which is shocking evidence of the strong presence of a Western view on the Rule of Law in India. Comparatively, in the article Asking for the moon: Legal uniformity in India from a Kerala perspective, Menski explains that aspiring for an Uniform Civil Code for India is too much to ask even nowadays due to the plurality of legal culture.

The complexity of how the British Empire exported the Rule of Law to the colonies is stitched into Mr. Mothercountry’s narrative, as the author explains both Stephen’s view on the Rule of Law – with morality included – and the broader idea of the Rule of Law proposed by the British Empire. However, what is less clear is the connection between her framework and current views on the conceptualization of the Rule of Law. The Rule of Law nowadays has an implicit normative view, in which Strong Rule of Law countries have more ability to impose the universal version of the Rule of Law (p.44 – universal as per McBride’s description) in Weak Rule of Law countries. This relates to the dilemma that Mr. Mothercountry was living during the spread of the Rule of Law by the British Empire. In other words, we had a strong Rule of Law country – the British Empire -, trying to impose the Rule of Law in countries such as India, in which legal plurality still prevails until nowadays.

Moreover, McBride dialogues with literature on the Rule of Law throughout the empirical chapters, but there is a lack of systemic understanding of the term. McBride could have been clearer in her reading of the current literature on the Rule of Law, explaining in a more systematic how she is building from some of these conceptualizations and at the same time questioning the foundation of this concept. For example, Hadfield and Weingast, proposed a microfoundation view on the Rule of Law, which explains that “achieving universality requires eliminating systems of privilege that differentiate among people, because such systems are unlikely to induce all players to support the candidate common logic” (Microfoundations on the Rule of Law, p.34). Most likely, McBride would be critical on whether there is a possibility of eliminating privilege within world politics but we lack that knowledge as her theory falls short from systemizing what has already been said on Rule of Law. A potential solution to understand how McBride understand others conceptualizations on the Rule of Law is to classify the literature on the Rule of Law in different categories, as Hadfield and Weingast did in “Microfoundations on the Rule of Law” (Politics and Economics; Theories of Governance, Institutions, and Organization;
McBride inherently questions the very foundation of the Rule of Law, especially when she explains that “some countries seem to have ‘more’ sovereignty than others and can enforce their laws outside of their national jurisdiction” (p. 67). As the author exposes the heterogeneity of powers dynamics between the British Empire and the Sierra Leone and India colonies, McBride could have provided more theoretical inputs on how this process of the spread of the Rule of Law is important to understand politics nowadays. Either an extra chapter explaining how Stephen’s narrative dialogues with nowadays literature in a more systematic manner or one that explained how this narrative fits into the modern view of the British Rule of Law and the impact on international relations, would help the reader understand the different dimensions of her theory.

While Stephen was humble and unaware about his power and limitations as a public servant while applying the Rule of Law, the application of the Rule of Law in the International Relations field is not so simple. McBride’s theory is a good source to begin thinking about how the universal views on the Rule of Law fall short from dealing with a static concept in a complex environment of international relations, in which power homogeneity has yet to be achieved. Beyond the analysis of the book, I believe that exporting some of McBride’s narrative to current exportations on the Rule of Law will help us rethink what is the role of Rule of Law in international politics.