

SYMPOSIUM: *INTERNATIONAL LAW IN A TIME OF SCARCITY*

ARTICLES

INTERNATIONAL LAW IN A TIME OF SCARCITY: AN INTRODUCTION

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TOO LITTLE OF EVERYTHING

Stories of scarcity litter the morning newspapers. States and companies race for control over limited supplies of minerals¹ and fossil fuels.² Water scarcity threatens China,³ Africa,⁴ and the American South.⁵ Food prices soar⁶ as extreme heat,⁷ drought,⁸ flooding,⁹ and severe rains¹⁰ destroy key

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¹ See Dan Levin, *Wealth Rises In Mongolia, As Does Worry*, N.Y. TIMES, July 16, 2012, at A4 (describing rush to mine Mongolia's "treasure trove of copper, coal and gold"); see also Keith Bradsher, *The Illegal Scramble for Rare Metals*, N.Y. TIMES, Dec. 30, 2010, at B1 (describing disputes over rare earth minerals).

² See Beth Gardiner, *New Energy Opportunities and Old Disputes*, INT'L HERALD TRIB., Nov. 13, 2012 (describing race to develop undersea reserves in the Mediterranean); Jane Perlez, *Dispute Flares Over Energy in South China Sea*, N.Y. TIMES, Dec. 5, 2012, at A12; Mark Scott, *Out of Africa (and Elsewhere): More Fossil Fuels*, N.Y. TIMES, Apr. 11, 2012, at F2.

³ Scott Moore, *China's Massive Water Problem*, INT'L HERALD TRIB., Mar. 29, 2013.

⁴ Adam Nossiter, *Late for School After a Long Journey for a Drop to Drink*, N.Y. TIMES, May 22, 2012, at A10.

⁵ Felicity Barringer & Diana B. Henriques, *Water Scarcity a Bond Risk, Study Warns*, N.Y. TIMES, Oct. 21, 2010, at B1 ("Water problems in California and Georgia have attracted significant attention the last few years.").

⁶ Ron Nixon, *Food Prices Rise, Agency Says*, N.Y. TIMES, Oct. 5, 2012, at A10.

crops. Food shortages are reported in Egypt,¹¹ in Venezuela,¹² in Jamaica,¹³ in Mali,¹⁴ in Haiti,¹⁵ in Niger,¹⁶ and in Africa generally.¹⁷ The list goes on and on. And with this scarcity has come instability, as states threaten each other with war,¹⁸ riots break out, and governments fall.¹⁹ The Arab Spring, of course, began in part with complaints about rising food prices.²⁰

But scarcity doesn't just seem to run rife, a common problem arising independently across a range of resources in a range of places. On the contrary, these stories of scarcity seem deeply and inextricably intertwined. Increased demand for wealth and goods in developing states like India and China fuels increasing demand for food²¹ and energy.²² That increased

⁷ William Neuman, *Rising Corn Prices Bring Fears of an Upswing in Food Costs*, N.Y. TIMES, Oct. 13, 2010, at B1 (describing effect of heat and drought in Russia, the Ukraine, and Kazakhstan).

⁸ Keith Bradsher, *U.N. Food Agency Issues Warning on China Drought*, N.Y. TIMES, Feb. 9, 2011, at A8.

⁹ See *id.* (mentioning floods in Australia).

¹⁰ Kim Severson, *With Too Much Rain in the South, Too Little Produce on the Shelves*, N.Y. TIMES, July 30, 2013, at A11.

¹¹ David Kirkpatrick, *Short of Money, Egypt Sees Crisis on Fuel and Food*, N.Y. TIMES, Mar. 31, 2013, at A1.

¹² William Neuman, *Opposition Voters in Venezuela Pick a Challenger for Chavez*, N.Y. TIMES, Feb. 13, 2012, at A4; Simon Romero, *With Brazil as Advocate, Venezuela Joins Trade Bloc*, N.Y. TIMES, Aug. 1, 2012, at A6.

¹³ Damien Cave, *As Cost of Importing Food Soars, Jamaica Turns to the Earth*, N.Y. TIMES, Aug. 4, 2013, at A6.

¹⁴ Agence France-Presse, *Mauritania: Shortages Hit Millions*, N.Y. TIMES, Apr. 25, 2013, at A6.

¹⁵ Justin Gillis, *A Warming Planet Struggles to Feed Itself*, N.Y. TIMES, June 5, 2011, A1; see also Editorial, *Haiti's Long Road*, N.Y. TIMES, Jan. 2, 2013, at A18.

¹⁶ Nossiter, *supra* note 4.

¹⁷ Associated Press, *Disease Is Ravaging Continent's Staple*, N.Y. TIMES, May 8, 2013, at A8.

¹⁸ Martin Fackler & Ian Johnson, *Sleepy Islands and a Smoldering Dispute*, N.Y. TIMES, Sept. 21, 2012, at A4 (describing disputes between China and Japan over islands and associated potential oil fields); Isma'il Kushkush & Josh Kron, *Sudan Declares State of Emergency as Clashes Continue*, N.Y. TIMES, Apr. 30, 2012, at A4.

¹⁹ See Gillis, *supra* note 15 ("Those price jumps, though felt only moderately in the West, have worsened hunger for tens of millions of poor people, destabilizing politics in scores of countries, from Mexico to Uzbekistan to Yemen. The Haitian government was ousted in 2008 amid food riots, and anger over high prices has played a role in the recent Arab uprisings.")

²⁰ See *id.*; Bradsher, *supra* note 8 ("World wheat prices are already surging, and they have been widely cited as one reason for protests in Egypt and elsewhere in the Arab world.")

²¹ See Gillis, *supra* note 15 ("The rapid growth in farm output that defined the late 20th century has slowed to the point that it is failing to keep up with the demand for food, driven by population increases and rising affluence in once-poor countries."); Alexei Barrionuevo, *China's Appetites Lead to Changes In Its Trade Diet*, N.Y. TIMES, Apr. 6, 2007, at A1 ("But as its economy grows, so does China's appetite for pork, poultry and beef, which require higher volumes of soybeans as animal feed.")

demand drives rising fossil fuel prices;²³ increased fossil fuel consumption contributes to climate change and global warming.²⁴ Increased demand for fossil fuels spurs the search for new, harder-to-access sources. Some of these may be in contested territories;²⁵ others may be complicated to extract, putting pressure on other resources like air or water in the process.²⁶ Concerns about both climate change and rising fossil fuel prices increase demand for alternative energy sources, including biofuel. Rising temperatures and severe weather associated with climate change put pressure on food production, destroying or ruining crops through drought, fires, or increased rain.²⁷ Rising prices for alternative energy sources increase the diversion of arable land to biofuel production and the diversion of products like palm oil or cassava from food to fuel.²⁸ Together with results of climate change, those shifts fuel volatile and rising food and cooking oil prices.²⁹ Volatile and rising food prices encourages a global land grab, as states and other investors race each other to secure access to arable lands and water supplies.³⁰ As these global interests bring industrial export-driven farming to these newly acquired lands, land and water for small indigenous farmers

²² See Katie Hunt, *China Faces Steep Climb to Exploit Its Shale Riches*, INT'L HERALD TRIB., Oct. 1, 2013 (describing China's insatiable demand for energy).

²³ See Scott, *supra* note 2 ("With demand from emerging economies continuing apace, the quest for new fossil fuels is opening up unexplored territories for production. That may help to offset the effect of rising oil prices, which have reached almost record highs.").

²⁴ See Jim Yardley & Andrew C. Revkin, *China Issues Plan on Global Warming, Rejecting Mandatory Caps on Greenhouse Gases*, N.Y. TIMES, June 5, 2007, at A12.

²⁵ See Gardiner, *supra* note 2.

²⁶ See Hunt, *supra* note 22 (describing stress extracting China's shale oil will place on water resources and clean air); Felicity Barringer, *Spread of Hydrofracking Could Strain Water Resources in West, Study Finds*, N.Y. TIMES, May 2, 2013, at A12; see also Barbara Deutsch Lynch, *River of Contention: Scarcity Discourse and Water Competition*, 42 GA. J. INT'L & COMP. L. 69 (2013) (describing pressure mining places on the availability of clean water in Peru).

²⁷ Gillis, *supra* note 15 ("Many of the failed harvests of the past decade were a consequence of weather disasters, like floods in the United States, drought in Australia and blistering heat waves in Europe and Russia. Scientists believe some, though not all, of those events were caused or worsened by human-induced global warming."); Marcus Stephen, *On Nauru, A Sinking Feeling*, N.Y. TIMES, July 19, 2011, at A23 ("Similar climate stories are playing out on nearly every continent, where a steady onslaught of droughts, floods and heat waves, which are expected to become even more frequent and intense with climate change, have displaced millions of people and led to widespread food shortages.").

²⁸ Elisabeth Rosenthal, *Rush to Use Crops as Fuel Raises Food Prices and Hunger Fears*, N.Y. TIMES, Apr. 7, 2011, at A1.

²⁹ Gillis, *supra* note 15 ("The imbalance between supply and demand has resulted in two huge spikes in international grain prices since 2007, with some grains more than doubling in cost."); Nixon, *supra* note 6, at A10.

³⁰ Gillis, *supra* note 15; Nixon, *supra* note 6, at A10.

grows increasingly scarce.³¹ To the apocalyptically minded, drawing lines between these stories of scarcity undoubtedly suggests a vicious downward spiral in which everything is doomed to become scarcer and more expensive. Recent riots over rising food prices³² might only auger worse things to come.³³

But not all are convinced of an impending Malthusian collapse.³⁴ In his article in this issue, José A. Cuesta catalogues the views of more optimistic economists who see human knowledge and technological progress as antidotes to physical scarcity.³⁵ In the words of another, “[h]uman ingenuity and technological progress have so far managed to outpace the natural forces conspiring to bring about the downfall of mankind and the despoliation of the environment.”³⁶ But regardless of how one perceives the prospects for the planet’s long-term future and the implications for subsequent generations, the realities of resource scarcity and the very immediate dilemmas, displacements, and devastation they can cause are already with us. In the short-term, scarcity is very much our problem.

Does international law have the resources to manage, if not solve, this complex global problem? Different areas of international law governed by different regimes have their own ways of conceptualizing and managing scarcity. International human rights law may frame the problem as one of individual economic and social rights or as one of the right of indigenous

³¹ See, e.g., Smita Narula, *The Global Land Rush: Markets, Rights, and the Politics of Food*, 49 STAN. J. INT'L L. 101, 117–21 (2013); Andrew Rice, *Is There Such a Thing as Agro-Imperialism?*, N.Y. TIMES, Nov. 22, 2009, at MM46; Anastasia Telesetsky, *Resource Conflicts over Arable Land in Food Insecure States: Creating an United Nations Ombudsman Institution to Review Foreign Agricultural Land Leases*, 3 GOETTINGEN J. INT'L L. 283, 306–09 (2011).

³² See Gillis, *supra* note 15 (“Food riots broke out in more than 30 countries.”).

³³ Thom Shanker, *HOTSPOTS: Why We Might Fight*, 2011 Edition, N.Y. TIMES, Dec. 12, 2010, at WK3 (“The National Intelligence Council has a major effort under way to analyze threats from water and food shortages related to climate change and other environmental causes, one senior American intelligence official said.”); Stephens, *supra* note 27 (“The changes have already heightened competition over scarce resources, and could foreshadow life in a world where conflicts are increasingly driven by environmental catastrophes.”).

³⁴ See, e.g., Reed Boland, *The Environment, Population, and Women’s Human Rights*, 27 ENVTL. L. 1137, 1139 (1997) (“Moreover, if history has any value as a guide, it demonstrates that doomsday predictions about overpopulation and the depletion of the world’s resources which have been made from the time of Malthus up to the present have proven to be largely wrong.”).

³⁵ Jose Cuesta, *Resource Scarcity from an Applied Economic Perspective*, 42 GA. J. INT'L & COMP. L. 11 (2013).

³⁶ Boland, *supra* note 34.

groups.³⁷ International trade law and international investment law may each treat scarcity as a problem it can solve by either growing the global pie through more liberalized trade or encouraging greater investment in agriculture, water management, or energy.³⁸ In some extreme cases, scarcity may serve as a limited exception to a state's obligations.³⁹ For the most part though, these models from different areas of international law operate in isolation from one another, following their own internal logics. It is possible that some of these different approaches complement one another.⁴⁰ But in many cases, these approaches conflict and may actually exacerbate the problems and tensions produced by scarcity. A bilateral investment treaty may protect the rights of foreign investors to water and crops even when local farmers are facing famine or drought.⁴¹ Law of the Sea rules guaranteeing access to foreign fishing may conflict with coastal states fishermen's human right to food.⁴² The energy regime may call for increased oil production and lower prices even as the environmental regime calls for the opposite.⁴³ Or as Kristen Boon explained during her presentation and elsewhere, Bluefin Tuna may be an endangered species under the Convention on the International Trade in Endangered Species (CITES) or a valuable food source under regional fishing agreements.⁴⁴

The problem of scarcity has started to get the attention of international law scholars and experts, but much of the discussion has remained confined to specific regimes or regime complexes. Given the interconnected nature of the problem and the complicated interaction of myriad moving parts,

³⁷ See Narula, *supra* note 31, at 127–32; Olivier De Schutter, *The Green Rush: The Global Race for Farmland and the Rights of Land Users*, 52 HARV. INT'L L.J. 503, 524–38 (2011).

³⁸ See Lynch, *supra* note 26, at 80–81 (describing policy prescriptions that respond to water scarcity by encouraging trade between water-rich and water-poor states); Narula, *supra* note 31, at 108 (describing arguments that foreign land leases in Africa can provide the needed investment to develop underdeveloped lands and eventually help alleviate global food scarcity).

³⁹ See, e.g., General Agreement on Tariffs and Trade art. XI:2(a), Apr. 21–June 20, 1951, 3 U.S.T. 588 (allowing export controls where “temporarily applied to prevent or relieve critical shortages of foodstuffs or other products essential to the exporting contracting party”).

⁴⁰ See Narula, *supra* note 31, at 108.

⁴¹ See Telesetsky, *supra* note 31, at 302–06.

⁴² Anastasia Telesetsky, *Fishing Moratoria and Securing TURFs: Creating Opportunities for Future Marine Resource Abundance in the Face of Scarcity in Western Africa*, 42 GA. J. INT'L & COMP. L. 35 (2013).

⁴³ See Timothy Meyer, *Global Public Goods, Governance Risk, and International Energy*, 22 DUKE J. COMP. & INT'L L. 319, 333–35 (2012) (discussing states' inability to control functional linkages for systematic governance risk).

⁴⁴ See generally Kristen E. Boon, *Overfishing of Bluefin Tuna: Incentivizing Inclusive Solutions*, 52 U. LOUISVILLE L. REV. 1, 1–38 (2013).

however, a more holistic approach, one that can bridge both subjects and regimes, is required.

THE SYMPOSIUM

It was with this goal in mind that the editors of the *Georgia Journal of International and Comparative Law* convened their 2012 symposium: "International Law in a Time of Scarcity."⁴⁵ The editors brought together a group with deep and varied expertise on issues of global scarcity: Kristen Boon, a professor of international law at Seton Hall University Law School whose work has focused on international organizations, the management of post-conflict situations, and regime competition over fish and fisheries; José A. Cuesta, a senior economist at the World Bank, an affiliated visiting professor at Georgetown University, and founding member of the World Bank's Food Security and Nutrition Knowledge Platform, whose research interests include development economics, poverty, food security, conflict and the analytics of public policy; Lincoln L. Davies, a professor of law at the University of Utah S.J. Quinney College of Law, whose research spans renewable and alternative energy, carbon capture and sequestration, nuclear power, utility law, and regulatory and technology innovation; Gabriel Eckstein, a professor of law at Texas Wesleyan University School of Law and expert in U.S. and international water and environmental law and policy; Barbara Deutsch Lynch, a visiting associate professor at the Georgia Institute of Technology's Sam Nunn School of International Affairs whose research focuses on economic development, urbanization, and natural resource utilization in Latin American societies; Lillian Aponte Miranda, an associate professor of law at Florida International University and expert on human rights and the rights of minorities and indigenous peoples; Felix Mormann, an associate professor at the University of Miami School of Law and faculty fellow with Stanford University's Steyer-Taylor Center for Energy Policy and Finance and expert on sustainable energy policy; Aparna Polavarapu, an assistant professor at the University of South Carolina School of Law, whose research examines women's rights and access to justice in East Africa, touching on areas of rule of law, gender equality, access to land, and customary/statutory law interaction; and Anastasia Telesetsky, an associate professor of law at the University of Idaho College of Law with expertise in international law, environmental protection, and the law of the sea. As a

⁴⁵ For more on the symposium, see <http://www.law.uga.edu/sites/default/files/u4021/Rusk-Center-GJICL-Scarcity-Conference.pdf>.

keynote speaker, the JOURNAL had the honor of hosting the law school's distinguished alumna, Ertharin Cousin, Executive Director of the United Nations World Food Programme, whose inspiring lunchtime lecture laid out the real on-the-ground work of the U.N. World Food Programme in alleviating the effects of food scarcity around the world.

Building on the range of experiences and expertise of the participants, the discussions at the symposium were wide-ranging, thought-provoking, and deep. Panelists were asked over the course of the day to consider a range of broad questions: What do we really mean when we talk about a resource being "scarce"? When does scarcity become a problem? Is scarcity becoming more of an issue than it might have been in the past, and if so, why? Can common sources of scarcity be identified? How do current legal and policy regimes respond to, cope with, ignore, or exacerbate scarcity issues? Panelists were also asked to explore the way forward, considering lessons learned from their various areas of expertise, whether water, food, energy, fisheries, or land.

One of the more interesting discussions surrounded the proper definition of "scarcity." From an economics standpoint, scarcity might be seen as nothing more than a function of supply and demand.⁴⁶ When demand for a particular resource outruns supply, that resource is scarce. A second approach, suggested by Felix Mormann, looks at use of exhaustible resources as on a trajectory. As resources are used, we move down a slope. The issue then is where we are on that slope with regards to exhaustible resources and how we should react. Finally, a third view, articulated most clearly by Barbara Lynch,⁴⁷ Aparna Polavarapu,⁴⁸ and Anastasia Telesetsky,⁴⁹ argues that scarcity is best framed as a function of access. Scarcity should be seen as a relative rather than absolute concept. The question is who has access to available resources and who does not. In a sense, this view looks at scarcity less as a physical reality to be dealt with and more as a human choice to be scrutinized and considered from the perspectives of justice as well as economics.

This last view of scarcity introduced a key theme of the symposium and the papers in this volume: competitive use. At the heart of all of the scarcity issues considered are choices—choices about who should have priority access to resources and for what purposes, choices about what uses are most

⁴⁶ See Cuesta, *supra* note 35.

⁴⁷ See Lynch, *supra* note 26.

⁴⁸ Aparna Polavarapu, *Reconciling Indigenous and Women's Rights to Land in Sub-Saharan Africa*, 42 GA. J. INT'L & COMP. L. 93 (2013).

⁴⁹ See Telesetsky, *supra* note 42.

important or desirable. Barbara Lynch, for example, presents water scarcity in Peru as a stark choice between producing asparagus for first-world supermarket shoppers and producing food for domestic consumption.⁵⁰ In considering industrial fishing off the coast of Africa, Anastasia Telesetsky presents a similar choice between stocking the fish markets of Europe and filling the nets of African artisanal fishermen.⁵¹ And Kristen Boon presents the choice between preserving Bluefin Tuna as a source of biological diversity and preserving its place in Japanese kitchens.⁵² At one point, Felix Moremann made a suggestion that scarcity may irreducibly require us to make normative choices about what to prefer. One principle we could use in making such choices might be substitutability, with an assumption that while some resources may be substitutable, water and air are not.

Another key theme raised was governance. Are our problems of scarcity a function of resources or of policy?⁵³ And if the latter, how do we develop governance models that can help alleviate scarcity. Given the interconnected, international features of the problem, we might choose global international solutions. Concerns about global climate change might suggest a global energy policy. Concerns about biodiversity might suggest looking at Bluefin Tuna from the standpoint of CITES. Choices between developed and developing world tables and stomachs might suggest a global approach to food and water use. Or should we look at the problem from a local perspective? Lillian Aponte Miranda focuses on the potential in shifting water and land governance from the state to indigenous groups, granting them not only rights but also a stake.⁵⁴ Anastasia Telesetsky considers ways to restore African state control over their own fishery resources.⁵⁵ And Aparna Polavarapu suggests protecting women's access to land in Africa by giving women greater rights and roles within the local customary law. A key concern in these perspectives is the potential for global solutions to be captured by powerful interests, guaranteeing their continued access to land,⁵⁶ food,⁵⁷ or water⁵⁸ at the expense of less powerful groups whose voices may

⁵⁰ See Lynch, *supra* note 26, at 84.

⁵¹ See Telesetsky, *supra* note 42, at 42.

⁵² See Boon, *supra* note 44.

⁵³ See Cuesta, *supra* note 35.

⁵⁴ See generally Lillian Aponte Miranda, *The Role Of International Law In Intrastate Natural Resource Allocation: Sovereignty, Human Rights, And Peoples-Based Development*, 45 VAND. J. TRANSNAT'L L. 785 (2012).

⁵⁵ See Telesetsky, *supra* note 42.

⁵⁶ See generally Polavarapu, *supra* note 48; Telesetsky, *supra* note 31.

⁵⁷ See Telesetsky, *supra* note 42, at 56.

⁵⁸ See Lynch, *supra* note 26, at 88.

be drowned out. As Anastasia Telesetsky notes regarding overfishing off the coast of West Africa, scarcity is a “multi-scale problem.”⁵⁹ In the end, the difficult questions are how to design nested regimes that can properly channel local, national, and global concerns and which way the communication or power should run—up, down, horizontally, or diagonally.

But perhaps the most interesting lesson of the symposium was the instability of the scarcity frame. Although scarcity was the theme that brought all of the panelists together, challenging the scarcity frame became a common trope. For José A. Cuesta, the perception of scarcity is really a function of human demands, priorities, and political realities.⁶⁰ For Barbara Lynch, as outlined in her article in this issue, the proper frame might be access or justice.⁶¹ For Kristen Boon and Lillian Aponte Miranda, governance might be the better frame.⁶² One important lesson of the symposium and this issue of the *GEORGIA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW* might be that the real issue is not resource scarcity, but instead the scarcity of holistic thinking, the scarcity of discourse on priorities or justice, or the scarcity of opportunities to be heard in resource use and allocation.

IN THIS ISSUE

This issue of the *GEORGIA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW* contains four important and probing articles on the topic of scarcity and international law.

José Cuesta’s article explores *Resource Scarcity from an Applied Economic Perspective*.⁶³ Traditional definitions of scarcity, Cuesta explains, have focused on either physical scarcity or excess demands. But these concepts fail to capture our current concerns about resource scarcity. Cuesta suggests we focus instead on specific economic, social, legal, and geopolitical features like renewability, lootability, concentration, distance to power, sellability, tradability, and geopolitical value.

Barbara Lynch uses water conflicts in Peru to probe and challenge the traditional scarcity narrative. In *River of Contention: Scarcity Discourse and*

⁵⁹ Telesetsky, *supra* note 42, at 41.

⁶⁰ Cuesta, *supra* note 35, at 17–20.

⁶¹ Lynch, *supra* note 26, at 75–82.

⁶² See generally Boon, *supra* note 44 (discussing the governance problems associated with fragmentation and regime shopping); Miranda, *supra* note 54.

⁶³ Cuesta, *supra* note 35.

Water Competition in Highland Peru,⁶⁴ Lynch explains how the narrative of global water scarcity reifies a series of policy prescriptions—developing institutions to support integrated water resource management, building infrastructure to transfer water from regions of abundance to regions of deficit, and supporting the development of water markets. Far from solving problems of scarcity in Peru, Lynch explains, these policies have actually exacerbated water shortages and conflict by encouraging new water demands. In her in-depth study, Lynch describes how “access” would provide a better frame for Peru’s water conflicts than “scarcity.”

In *Reconciling Indigenous and Women’s Rights to Land in Sub-Saharan Africa*,⁶⁵ Aparana Polavarapu provides a deep and nuanced account of the challenges to land ownership and access women face in sub-Saharan Africa. As Polavarapu explains, neither the traditional customary law nor the modern statutory law fully protect women’s rights. In some cases, the pluralist attempts to overlay the two may even exacerbate existing problems for women, ultimately providing them the protection of neither. Ensuring women’s rights, Polavarapu argues, can only be achieved through a more radical reconstruction of the customary law to recognize the rights of women within it.

Worried about the pressure they put on the environment and the rights of indigenous farmers, Anastasia Telesetsky has previously called for greater scrutiny of foreign land leases in Africa and Asia.⁶⁶ In her article in this issue of the *Journal*, *Fishing Moratoria and Securing TURFs: Creating Opportunities for Future Marine Resource Abundance in the Face of Scarcity in Western Africa*⁶⁷ she expands her gaze to the parallel process of “sea grabbing,” through which European and Chinese fishing fleets gain both legal and illegal access to West African fisheries. In the face of deepening concerns that valuable food sources are flowing from areas of need in Africa to markets in Europe and Asia and worries about depleting fish stocks, Telesetsky sets out a detailed series of steps West African states can take to regain control of their fisheries.

Each of these articles challenges traditional narratives and as such deepens our understanding of the sources of and solutions to global scarcity. As the reality of scarcity and the need for a holistic international response sets in, these articles should be essential reading.

⁶⁴ Lynch, *supra* note 26.

⁶⁵ Polavarapu, *supra* note 48.

⁶⁶ Telesetsky, *supra* note 42.

⁶⁷ *Id.*