

theory is made explicit on page 79: "this approach requires (1) a diagnostic/prognostic task of describing present world order conditions and trends, (2) a modelling task of designing preferred futures, and (3) a prescriptive task of mapping transition strategies." He sets out to present the recipe for a global utopia!

As a lawyer, I have the following criticisms. The author's propensity to use polysyllabic jargon renders the book difficult to decipher and understand. Examples abound: "empirical reality," "normative reality," "eschatological escapism," "planetary consciousness-raising," "cacophonous symphony." Many rather meaningless platitudes are used, e.g., "What does the author mean when he writes that 'despite more than three decades of feverish 'theoretical' activities, international studies still cannot claim any major theoretical breakthroughs' (p. 57)? Does the author imply that his book furnishes such a breakthrough? Many sages, ranging from Machiavelli to Martin Luther King, Joseph Stalin to Richard Rosecrance, are indiscriminately cited and one wonders whether it is done for the sake of name dropping. With all due respect, I believe that the author does not make his arguments more cogent or attractive by referring to innumerable irrelevant antecedents and authorities. A wide spectrum of seemingly unconnected topics is discussed: human rights, environmental pollution, global inequities, world politics, global violence and many others. One wonders whether the author's mega-theory, which is not easily discernible at all, is so all-encompassing as to be capable of generating an explanation for each and every phenomenon experienced by or problem confronting humanity! Assessing the tenability of the author's assertions is, unfortunately, made more difficult by his rather convoluted writing style. It cannot be denied that the notes and the bibliography contain a massive amount of information. Nevertheless, they do not seem to bolster the author's credibility as a whole.

FRANKIE FOOK-LUN LEUNG
Of the English and Hong Kong Bars

Epochen der Völkerrechtsgeschichte. By Wilhelm G. Grewe. Baden-Baden: Nomos Verlagsgesellschaft, 1984. Pp. 897. Indexes. DM 138.

To Wilhelm Grewe we owe a great new history of international legal relations: *Epochs of the History of International Law*.

Grewe wants to describe "epochs," not "the epochs" of the law of nations. When he first conceived this work 40 years ago, at a time of supreme crisis in international law, he intended to trace the historical development of current principles. He then realized that a true "History of International Law" would require a broader examination, particularly of the international legal order of antiquity and of the Middle Ages. He does well by beginning his book with an outline of the legal order of the Middle Ages: "If one lays stress upon the point of time in which important institutions of modern international law emerged for the first time, one

has to seek the beginnings of European international law in the later Middle Ages," said the Frankfurt legal historian Wolfgang Preisler.¹ An international legal order which brought together the different existing institutions into a system came into being only in the late Middle Ages.

The modern history of the law of nations, according to the author, began at the time of the French invasion of Italy under Charles VIII of France in 1494; since then, there has been a modern system of states constituting the basis of modern international law. Grewe divides the succeeding periods according to the power that created the respective legal order: a Spanish age (1494–1648), a French age (1648–1815) and a British age (1815–1919). These periods are followed by the interwar years and the Second World War as the time of Anglo-American world hegemony (1919–1944), and finally by the "age of the American-Russian rivalry and the rise of the Third World" (since 1945). "The epochs of the modern history of international law and those of the modern system of states coincide; this is the simple, in the opinion of some people possibly banal, thesis of this book" (p. 25).

In the author's mind, the year 1919 constitutes an especially marked caesura: the world war ended the period of the "classical" law of nations which had existed since the 15th century. This division into periods was first set out by Grewe in an essay of 1942–1943² and has met with general approval in international law historiography. For each period, Grewe asks several "test questions" in order to fix the coordinates of the respective legal system.

First of all, he inquires into the spiritual foundations of the respective community of nations, its composition and spatial extension. Is this community occidental Christendom, the circle of "civilized nations," or, as the author believes, since 1945, a "universal legal community without a system of values"? How independent are the subjects of international law? What requirements have to be fulfilled to be recognized as a new member of legal society, requirements that the United States, for example, had to fulfill in the "French age"? How does international law grow and to whom does it apply? Who is able to force observance of this law? The answers to these questions inform us about the stage of development of international law.

Furthermore, Grewe examines the various legal forms of the distribution and government of the earth's surface and the important changes in the legal order of the seas. At the beginning of each main chapter, the reader finds a summary of the political history of the period.

In the historiography of modern international law, doctrine has often been pushed one-sidedly to the fore. As a man who worked for more than 25 years in the diplomatic service of his country, Grewe does not make

¹ W. PREISLER, *DIE VÖLKERRECHTSGESCHICHTE. IHRE AUFGABEN UND IHRE METHODE* 31, 61–62 (1963).

² Grewe, *Die Epochen der modernen Völkerrechtsgeschichte*, 103 *ZEITSCHRIFT FÜR DIE GESAMTE STAATSWISSENSCHAFT* 38–66, 260–94 (1943).

this mistake. He investigates how the theory and practice of states have influenced each other; he does not underestimate the importance of doctrine but, together with Ulrich Scheuner, he believes that the decisive steps towards a new international order "are left up to the decision and action of states." The former ambassador is capable of presenting the modern age's epochs of international law in their peculiarity and dependence on politics. He shows the interrelationship of "Geist, Baugesetze und Werden der völkerrechtlichen Ordnung."³ The book provides a highly vivid picture of international life in the last five hundred years. Grewe's work is the first large-scale history of the law of nations to have appeared in the German language for a long time: the last comparable book was that of Wegner, published in 1936,⁴ followed by the unfinished work of Stadtmüller (1951),⁵ Reibstein's *History of the Ideas of International Law* (1958 and 1963)⁶ and the German translation of Nussbaum's *A Concise History of the Law of Nations* (1960).⁷ Looking at the present international legal order and quoting Emile Giraud, the author skeptically concludes: "L'évolution du droit international est commandée par celle de la politique internationale. Celle-ci traverse aujourd'hui une phase très critique et le droit international ne peut qu'en souffrir."⁸ Grewe hopes to have contributed "some stones" to the building of a future history of international law—if he were British, one would speak of typical understatement.

BARDO FASSBENDER
*Institute of Legal History
 of the University of Bonn*

Friedensdokumente aus fünf Jahrhunderten: Abrüstung, Kriegsverhütung, Rüstungskontrolle. 2 vols. Edited by Jost Delbrück. Published under the auspices of the Institute for International Law of the University of Kiel. Kehl, Strasbourg, Arlington: N. P. Engel Verlag, 1984. Pp. 1625.

In October 1984, Congress created a new institution—the United States Institute of Peace—to be devoted to international peace research, education and training. A Canadian Institute for International Peace and Security was also formed in 1984. The European community has a much longer history of trying to determine the causes of and cures for world conflict. Professor Delbrück, who is the director of the Kiel Institute, has joined with seven colleagues to offer serious students of peace an outstand-

³ "Spirit, organic laws and growth of the international legal order."

⁴ A. WEGNER, *GESCHICHTE DES VÖLKERRECHTS. HANDBUCH DES VÖLKERRECHTS* (1936).

⁵ G. STADTMÜLLER, *GESCHICHTE DES VÖLKERRECHTS* (1951).

⁶ E. REIBSTEIN, *VÖLKERRECHT. EINE GESCHICHTE SEINER IDEEN IN LEHRE UND PRAXIS* (vol. I, 1958; vol. II, 1963).

⁷ A. NUSSBAUM, *GESCHICHTE DES VÖLKERRECHTS IN GEDRÄNGTER DARSTELLUNG* (1960).

⁸ "The development of international law depends on the development of international politics. Today the latter is in a highly critical phase, a fact from which international law is bound to suffer."