

## The Law of Nations. By Marcellus Donald A. R. von Redlich

William Edward Taay

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## BOOK REVIEWS

*The Law of Nations.* By Marcellus Donald A. R. von Redlich. World League for Permanent Peace, New York, 1937. One volume. Second edition. Pp. 640. \$10.00.

This notable volume is another brilliant achievement by its author, Dr. Marcellus Donald A. R. von Redlich, L.L.D., Ph.D., Litt.D., Professor of Diplomatic History and International Law, who is well known and acclaimed for his previous works including "International Law as a Substitute for Diplomacy," "The War That Was," "World Problems," Persian Language and Literature," and "Mohammedan Law."

Within the covers of this enlarged and completely revised second edition of his original work, the author has set forth a clear exposition of the basic legal principles governing International Law as accepted and developed by the courts in adjudicated cases with the emphasis placed upon the precedents, the laws and the decisions of the United States. To obtain the identical wealth of information from independent sources would require multiple references and necessitate many hours of intensive research. It is remarkable that so important a subject as International Law could be so adequately treated in a relatively small space.

Written primarily for North American readers, the volume contains in successive chapters detailed and careful examinations made by the author into the important and fascinating subjects of the history, definition, origin and sources of International Law, the vitally important questions relating to recognition, international relations, periods in the history of international relations and diplomacy, special inherent powers of sovereignty, the powers of the United States Congress, amendments to the Constitution of the United States during the first quarter of the twentieth century, the power to make, negotiate and terminate treaties, the control of foreign relations including the war powers, a discussion of the war powers, the history of the evolution of the status of diplomatic officers, the rank of diplomatic representatives, the modern status of diplomatic officers, a discussion relative to consuls, international arbitration, Pan-Americanism, admiralty, prize courts, and warfare, diplomacy and international law. In concluding, the author expresses his opinion as to the League of Nations, the Permanent Court of International Justice, The Hague, the International Labor Organization and the future.

Chapter XX contains twelve important appendices including the Covenant of the League of Nations, the Statute of the Permanent Court of International Justice, the Revisions in the Statute of the Permanent Court of International Justice, the Treaty for Extradition between the United States of America and Great Britain, 1932, and the Treaty of Friendship, Commerce and Consular Rights between the United States of America and Poland, 1933. There is also included an interesting preface by the author, a foreword by Antonio Sanchez De Bustamante Y Sirven, Judge of the Permanent Court of International Justice, The Hague, a comprehensive index, and an excellent, substantial bibliography of value to those desirous of conducting their own research on the subject.

It is important to note that the author stresses the viewpoint that the principles and precepts of the Natural Law are the bases for the Law of

Nations, and that, therefore, the rules of the Law of Nations are important as a guide and norm for all the civilized nations of the world in all their intercourse with one another as well as in the search for world peace. The author is convinced that international disputes among nations must be settled through impartial international tribunals, specifically pointing out the Permanent Court of International Justice, The Hague. He fervently believes that with the promotion of the use of law as opposed to force the permanence of international peace will be further assured, citing Grotius' *De Jure Belli ac Pacis*, the keynote of which is peace and justice and in which selfish and aggressive wars are condemned.

The author advocates the desirability of the United States to enter in and co-operate with the League of Nations contending that isolation is impossible for a world power, and that only by co-operation with the other Great Powers can the dangers of war and present day crises be eliminated. He acknowledges, however, that a great, current, honest difference of opinion exists on the question.

The author states that he is not desirous of seeing the United States embroiled in any kind of European conflict, but hopes to see peace and world unity established by the co-operation of all nations through the Permanent Court of International Justice, The Hague, where disputes among nations may be settled by means of law as is done between private individuals by the local courts in all nations. The professed aim of the author in writing the volume was to help towards the creating of a world more peaceful, safer, saner, and happier to grow up and live in.

While the entire volume holds the reader's interest, the reviewer was especially attracted by the chapter dealing with the relations between the individual states and the federal government from the viewpoint of the treaty-making power with its discussion relative to the binding force of treaties upon the states, the rule that treaties of the United States will prevail over state statutes with the limitation that the United States by treaty cannot compel a state to do an affirmative act, and the effect of treaties upon federal statutes.

In the chapter on the modern status of diplomatic officers under the section dealing with diplomatic ceremonials, precedence and titles, the author writes in detail of the impressive formalities connected with the presentation of a letter of credence in the State of Vatican City—the same dignified, interesting ceremonials being followed as in ancient days.

In a section dealing with Christianity, Mohammedanism and International Law, the author points out and stresses the great contributions made by the Popes of Rome towards the creation, on a sound basis, of harmony in international relations. He relates how the Popes were continually called upon to mediate in the adjustment of differences among the nations, and how ably and successfully they fulfilled such missions from the beginnings of Christianity to the present time. Today we witness the current, zealous efforts of Pope Pius XII to prevent a conflict among nations which threatens to destroy civilization itself.

The book is recommended by the reviewer for useful, pleasant reading by students, lawyers, and professors, as well as lay-readers, who are interested in the field of International Law and current world problems.

WILLIAM EDWARD TAAY.