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standing of its most widely used expressions and *vice versa*. Behind the pure and impersonal account of what a treaty is and how it functions, one may therefore surprisingly discover in hints given a rather generous and hopeful representation of the *ius gentium*. For instance, Reuter underlines throughout his book the practical and conceptual changes brought about by the development of multilateral treaties. Even if consensualism remains at the heart of the law of treaties, he considers that trend to be a sure sign of a certain 'socialization' of international relations since the strict reciprocity rule, so characteristic of bilateralism, is as such inapplicable to multilateral treaties (p. 120). The emergence of peremptory norms, which reflect, according to Reuter, the moral foundations of all law (p. 129), would reveal the same tendency; if reciprocity does not apply in the case of a breach of a *ius cogens* rule, it would be precisely because it is created by a much more powerful and deep-rooted *opinio iuris* than the one that helped craft the treaty embodying the rule (p. 176). Considering such opinions, one is only half-surprised to read that Reuter views the development of international law as a 'federalism to be' (p. 55).

One is, of course, free to disagree with such a backdrop. It is, however, difficult not to praise the distinguished manner with which Paul Reuter introduces his readers to the complex play of treaties.

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Wintle, Michael (ed.). *Culture and Identity in Europe*. Aldershot, Brookfield: Avebury/Ashgate Publishing Company, 1996. Pp. ix, 223. Index. \$67.95.

This collection of strongly written essays ties together themes of cultural diversity and unity in Europe, in particular the way cultural identity is constructed and the manner in which it is promoted by the European Union.

Wintle, while understanding that notions of nationalism and identity are constructs, believes that there is 'something there' and seeks an accommodation of identity. On

European cultural identity he says: 'it consists mainly of partly shared historical heritage and experience, in the widest possible sense'. Of more interest is his discussion of the portrayal of Europe in images. His investigation of the use of cartography and visual icons using images of Europa and Europe enables him to unravel the self-images wrapped up in these symbols. It is here that Wintle offers a rich and clear insight into European self-perception, far more convincing and satisfying to the reader than vague notions of the essence of a European identity.

A United Europe has not resulted from a collective identity. Philip Morgan sceptically examines the relationship between identity and politics. He critiques past attempts to unite Europe and concludes that self-interest provided the drive behind such movements rather than any 'natural' feeling of unity. He asserts that it was post Second World War reconstruction and the Cold War that eventually created the impetus for the federation. In the end, union was the result of economic forces rather than feelings of cultural unity.

M. Spiering's well-written chapter on national identity and European unity argues that the visionary idealism of certain individuals who have been involved in the European movement counters a blanket assertion that European Union is the result of pure statist self-interest. From a humorous exploration of some common European national stereotypes an important point emerges: identity is as much about otherness as it is about the self. Spiering explores why the nation-state, with all its arbitrariness, has such appeal and notes the psychological need to belong. The author explains why the European Union challenges this notion of nationalism rather than (to date) successfully harnessing it. The chapter concludes with the sobering observation that most nationalist identities are formed as the result of violent conflict. Without coercion, a common European identity is not likely to be achieved.

Brom Boxhoorn, in his piece on the process of unification and identity, asserts that the European Union can only create a sense of shared community if membership is limited. Since such restricted access is impossible and counter-productive he concludes that

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'it is difficult to understand how unification and diversity can be reconciled'.

Benedict Anderson has claimed that the media is an important power in creating an image of community. Vian Bakir argues that in the development of a European identity, the media will not be a useful tool as European media agencies are too nationalistic to be a uniting force.

If identity is not the unifying force, it could perhaps be economics. This book offers some cautionary views. Even with an economic goal, consensus has been difficult to build and the effects less than desirable. David Willis notes that the economic agendas of Western European countries have had detrimental effects on the economies of Eastern European countries. Xiudian Dai's investigation of the failure of the European telecommunications policy provides an excellent case study of how economic policies based on self-interest can be self-destructive.

The essays, though eclectic, pull together to show both the complexity and the emptiness of the phrase 'unity in diversity'.

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Malekian, Farhad. *The Monopolization of International Criminal Law in the United Nations. A Jurisprudential Approach*. (2nd ed.). Stockholm: Almqvist & Wiksell International/Uppsala University, 1995. Pp. xiii, 221. Index. \$68; £48.

With two ad hoc international criminal tribunals at work and a draft for a permanent international criminal court on the agenda, any publication on international criminal law is bound to attract attention. However, this essay, which claims to present 'a jurisprudential approach', does not actually deal with international criminal law. In essence, the author laments the 'legal and political defects in the Charter and practice' of the United Nations.

The author compiles an impressive number of cases which demonstrate that the Security Council actually adjudicates important cases of international criminal law, despite the fact that as a political organ it is neither competent nor an appropriate body for such

a function. The privileged position of the permanent members of the Security Council, which violates the principle of sovereign equality, and the impact of national interests in their decision-making processes is seen as a monopolization of international criminal law. Since all serious violations of international law by states, according to the author, are governed by international criminal law, the author can easily demonstrate that the decisions as well as the inactivities of the Security Council are not determined by legal considerations but are dominated by the political interests of permanent members. There is nothing new in this. But discussing it in a perspective of developing, applying or implementing international criminal law may have the healthy effect of warning states, and in particular governments of smaller states, against the danger of conferring on the Security Council a jurisdictional competence in connection with an international criminal court, which is what happened with the establishment of the Tribunal for the former Yugoslavia. What is even more dangerous is that the same mistake is imbedded in the ILC draft for a permanent international criminal court.

Unfortunately, the author's conceptualization of international criminal law is somewhat dispersive. It seems to cover crimes of individuals, organizations and states alike as well as most parts of international law, in particular the law of state responsibility. His interpretations are quite peculiar at times. Thus, when he concludes that under Chapter VII of the UN Charter 'the five permanent members of the Security Council not only have the power of decision on international criminal matters but are also the authoritative "international criminal tribunal" determining the precautionary punitive measures against a guilty party' (p. 102), he obviously takes the law of collective security as enforcement machinery of the system of international criminal law, complaining only of its political deformation and monopolization. However, he does not make a distinction between the law of state responsibility and collective security, an area of concern which has recently occupied the ILC in connection with determining legal competences in relation to international crimes of states and distinguishing compe-