

Francisco de Vitoria, *Vorlesungen* (U. Horst/H.G. Justenhoven/J. Stüben [eds.]), 2 vols., Stuttgart, Berlin, Köln: W. Kohlhammer, 1995/1997; Pp. 658 and 838, each vol. DM 218; öS 1591; sFr 194.

Whether it is Vitoria or rather Grotius who deserves the honorary title 'father of modern international law' is but a matter of faith. Undoubtedly, we owe fundamental academic contributions to both of them, contributions which go far beyond the narrow limits of international law. This is particularly true for Vitoria, whose work has not only to be ranged among the classics of our discipline, but occupies a most prominent place in theology, political ethics and the general theory of state as well. However, he suffers the same fate as so many other so-called 'classics': 'often referred to, rarely read'.

The present bilingual German–Latin compilation assembles the most famous part of Vitoria's scientific oeuvre, namely his public lectures (*relectiones*). These lectures must have been outstanding events during the academic years 1527–1540 at the University of Salamanca. In a surprisingly independent manner, Vitoria takes up a whole range of problems of his time, including fundamental debates concerning the reform of the church (*De potestate papae et concilii*), the relationship between the secular and the ecclesiastical world (*De potestate civili* and *De potestate ecclesiae I and II*), the divorce of Henry VIII (*De matrimonio*), the law of war (*De iure belli*), various questions related to the conquest of America (*De Indis*) and many other highly disputed issues.

The edition is introduced by an excellent essay on the life and work of Vitoria by U. Horst (Professor of Catholic Theology at the University of Munich), which would well deserve separate publication (vol. 1, at 13). Commenting each and every lecture in an extremely clear and condensed manner, this introduction provides the reader with a very helpful guide for his own reading of the original texts.

Twice (vol. 1, at 101 and vol. 2, at 13), J. Stüben offers highly interesting insights into the world of translation. The reviewer must confess that he was deeply impressed by the incredible difficulties the translator faced, not only in editing the original texts and undertaking the translation but especially in preparing the annotations. There can be no doubt that J. Stüben accomplished his difficult task admirably, although a lack of sufficient funding as well as a certain time pressure with regard to the preparation of the second volume led to certain reductions in the footnoting. Both volumes are completed by rich annexes containing *inter alia* bibliographical material and a subject index.

With this extremely well-executed publication available, the German-speaking legal community has an excellent tool for its scientific work. That Vitoria can still provide valuable contributions to today's legal and political discourse might be exemplified by a rather simple but nonetheless fundamental statement he reiterates time and again (*De Indis, De potestate civilis, De iure belli*): *Causa iusti belli non est diversitas religionis*. What could be more helpful in today's world than arguments in support of this thesis?

Finally, the reviewer would like to take this opportunity of strongly recommending two series of books by the same publishers, namely *Theologie und Frieden* (Theology and Peace) and *Beiträge zur Friedensethik* (Contributions to an Ethics of Peace), which assemble various interesting publications on the borderline between the history of international law, moral philosophy and theology.

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