## **Denver Journal of International Law & Policy**

Number 2 Spring Article	Volume 24 Number 2 <i>Spring</i>	Article 14
-------------------------	-------------------------------------	------------

January 1996

## Manuel de Droit Diplomatique

Marco Madriz

Follow this and additional works at: https://digitalcommons.du.edu/djilp

## **Recommended Citation**

Manuel de Droit Diplomatique, 24 Denv. J. Int'l L. & Pol'y 507 (1996).

This Book Note is brought to you for free and open access by the University of Denver Sturm College of Law at Digital Commons @ DU. It has been accepted for inclusion in Denver Journal of International Law & Policy by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu,dig-commons@du.edu.

Manuel de Droit Diplomatique

their culture to their offspring. However, as if to say that this policy was not efficient or fast enough to accomplish the goals of the state, the official party attitude to the "useless lives" of non-aryans, combined with the growing bureaucratic stake in promoting policies which would eliminate the "criminal jew", mass extermination and genocide were close on the heels.

Nazi Justiz, in providing a legal history of the holocaust, is important for two reasons in understanding international legal regimes of today. First, it offers a model of explanation for what was the most tragic chapter in human history. With this understanding, it is possible to comprehend how an entire nation can condone such atrocities. Secondly, underlying this analysis is the fundamental notion that any government, particularly one bent on the destruction of a portion of its own population, must resort to laws in order to prevent chaos from ensuing. Without the legal definition of what constituted a jew in Nazi Germany, mass hysteria, revenge killings, and unlawful confiscations would have abounded, thus forming the destruction of the German state. The very fact that the elimination of millions of people could occur without the disruption of one of the most powerful countries of the time is a testament to the necessity of these laws. However brutal the fascist rule of Hitler was, a failure to recognize that law existed and guided policy at the time would be to painfully misinterpret and underestimate the Nazi regime. For the sake of preventing future atrocities, this should never be done.

Thomas F. Muther, Jr.

JEAN SALMON, MANUEL DE DROIT DIPLOMATIQUE, Précis de la Faculté de Droit de Université, Établissements Émile Bruylant, Brussels, (1994). (\$); ISBN 2-8027-0900-3; 678 pp. (pbk)

More than a "manual", Salmon's book is in part a systematic articulation of "black letter" principles, part analysis of the development in (and continuing questions arising out of) those principles, part bibliography and decision overview. The first part gives a broad overview of the sources and general historical development of diplomatic law, followed by an examination of traditional bilateral diplomatic relations, approaching the subject from numerous directions such as the organization of diplomatic services and of individual missions and accreditation process. Salmon focuses in on the role of the Chief of Mission and the scope of his official and unofficial relationship with the accredited State. Also analyzed is the array of quasi-diplomatic missions, including those operating as intermediaries between States themselves lacking formal relations.

A section on diplomatic privileges and immunities look both at established and inconsistent practices in diplomatic treatment, in particular regarding freedom of communication between mission and accrediting State, and regarding the accrediting State's use of the mission locale. A title on sanctions for violations of diplomatic law focuses both on such sanctions in the context of an individual diplomatic agent and the larger issues of diplomatic rupture of relations and its juridical consequences.

Part Two briefly compares diplomatic and consular relations, ad hoc diplomacy, and statutes regarding foreign heads of state. The bulk of this part is devoted to multilateral diplomatic relations, such as the structure of permanent missions within the U.N. and the European Community system.

Salmon's systematic treatment of his subject makes the book straightforward without ignoring the complexity of the area. The analysis is woven in the context of over 700 judicial decisions nd extracts from bilateral agreements. Salmon pays particular attention to the 1960 Vienna Convention on Diplomatic Relations to gauge the translation of customary law in modern practice and various departures. Overall, the book provides a provocative resource for the specialist in the area, and a detailed treatise for the interested scholar.

Marco Madriz

MINEAR, LARRY and THOMAS G. WEISS, HUMANITARIAN POLI-TICS, Foreign Policy Association Headline Series, Foreign Policy Association, New York, NY (1995). (\$5.95); ISBN; 72 pp. (pbk).

Humanitarian Politics provides a good introduction to humanitarian relief and its interaction with political concerns. The authors focus particularly on the post-Cold War era and the additional problems that arise out of the changing political conditions. A significant new development is the changed nature of armed conflict. In the contemporary world, most conflict occurs within, rather than between, states, a problem which complicates the formulation and implementation of solutions to the humanitarian problems that these conflicts create. Emerging along with this political complexity is a new urgency. Minear and Weiss point out that the number of people involved in humanitarian emergencies rose dramatically in the 1990's, making effective solutions to humanitarian crises all the more critical.

Having established the importance of effective humanitarian action, Minear and Weiss sketch the basics of existing approaches and the actors who implement them, and then set out the principles of their preferred model for humanitarian politics. While in the past, humanitarianism has been subordinated to political interest or vice versa, the correct approach, the authors contend, is for humanitarianism and politics to proceed on parallel tracks. This parallelism describes both the connection and the separation which Minear and