

BOOK REVIEWS

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NEW VIEW AT INTERNATIONAL LAW DURING FIRST WORD WAR¹

The book by professor Oleksandr Merezhko is devoted to the Russian science of international law in the period of World War I, and it is no coincidence that this book came out in 2014, i.e. centennial of WWI. The general idea of this book is to show how Russian international lawyers viewed international law, especially law of war, during one of the most dramatic periods in Russian history.

In Chapter I the author considers different attempts to explain the meaning of WWI and indicate the reasons of its beginning. This is quite a difficult task, because the contemporary historians till now argue about the causes and roots of WWI. Perhaps, we could agree in a way with the American president Woodrow Wilson who once remarked that the Great War had started for all reasons altogether.

Chapter II explores the influence of Russia and her international legal doctrine upon the process of codification of the laws and customs of war. The author tries to show that Russia played a crucial role in this codification and initiated the Hague peace conferences of 1899-1907.

In the Chapter III the author deals with the notion of international law and its effectiveness from the point of view of Russian lawyers. He pays attention to the explanations given by the Russian legal scholars of why international law during the Great War was not effective enough.

Of particular interest is the Chapter IV in which the concept of war is analyzed from the perspective of the Russian international lawyers.

The Chapter V covers theoretical and practical issues of international treaty law during WWI, especially when it comes to the application of the Hague conventions during the war.

In the Chapter VI the institute of neutrality and the difficulties of its application during war is considered.

The Chapters VII and VIII explore the practice of the laws of war's application in the land and sea warfare, whereas the Chapter IX is devoted to the specific issue of the Russian prize law.

The legal aspects of air warfare are considered in the Chapter X. It was one of the least regulated areas of international law during WWI.

One of the most controversial issues in the Russian legal literature during WWI was the status of the enemy state's subjects, which is dealt with in detail in the Chapter XI of the book.

The final chapter (Chapter XII) of the book is devoted to the concept of war crimes and international legal responsibility during WWI.

It is also noteworthy that the author draws some interesting parallels between WWI and unfolding war of Russia against Ukraine. One of these parallels is the violation by Germany of the Belgium neutrality, which was guaranteed by international treaty, and the brutal violation by Russia of its guarantees given to Ukraine under the Budapest Memorandum of 1994. He also contrasts Russian scholarship of international law during WWI, which was on the high level of scientific analysis and relatively objective, with the

¹ Review of the monograph: Merezhko O. (2014). *Russian Science of International Law during First World War*. Odessa: Publishing House „Fenkis”.

contemporary doctrine of Russian international law, which has become part of the official propaganda machine.

The reader of the book can draw numerous lessons from the experience of international law during WWI, which might be valuable nowadays in the light of the most recent historical events.

The author comes to conclusion that, despite numerous and serious violations of international law during WWI, the core of this law had not been destroyed and that international law after this war had risen again as the legendary Phoenix from the ashes. The final point which makes the author on the basis of his analysis of the history of international law during WWI is that the victory of law over force in international relations is inevitable.