

Das Verhältnis von Innen-, Außen- und internationaler Politik ist nach Ansicht von *Müller / Risse-Kappen* komplexer, als es vereinfachende dichotome Theorien wahrhaben wollen (Internationale Umwelt, gesellschaftliches Umfeld und außenpolitischer Prozeß in liberal-demokratischen Industrienationen, S. 375-400). Die Debatte um den Primat von Innen- oder Außenpolitik sei überholt, Außenpolitik gestalte sich in einem komplizierten Prozeß ökonomischer und politischer Anpassungsprozesse und innenpolitischer gesellschaftlicher Einflußnahme. Mit einem Schmuckstück schließt der Sammelband: *Helga Hafendorn* untersucht in ihrem Beitrag "Zur Theorie außenpolitischer Entscheidungsprozesse (S. 401-423) die verschiedenen Typen außenpolitischer Entscheidungen, die Akteursebenen und welche Erklärungen die herrschenden Theorien zur Genese dieser Entscheidungen geben können.

Wie gezeigt, vereinigt der PVS-Sonderband "Theorien der Internationalen Beziehungen" die Vorzüge einer breiten Darstellung von Themen und Theorien mit einer detaillierten Analyse einzelner Problembereiche. Er ist somit ein "Lehr"-Buch der Internationalen Beziehungen im besten Sinne des Wortes.

*Hermann Ott*

*Daniel Patrick Moynihan*

**On the Law of Nations**

Harvard University Press, Cambridge, Mass., 1990, 211 p., \$ 10.95 (paperback), \$ 24.50 (cloth)

"In the annals of forgetfulness there is nothing quite to compare with the fading from the American mind of the idea of the law of nations" (p. 99).

*On the Law of Nations* goes far beyond the ordinary - it is filled with historical detail, insights into U.S. policy - foreign and domestic - explanations for actions of "international law" most Europeans will not be familiar with. What makes Senator Moynihan's book special is its effective appeal to international law. The author obviously brings a lot of experience and expertise to a subject close to his heart, having served as an ambassador to the United Nations and vice-chairman of the Senate Select Committee on Intelligence. He gives an insider's view, interpretations of U.S. foreign policy and attitudes towards international law - how they were formed and what is behind them. The book is a joy to read. The language is almost casual at times, ironic in places. Moynihan, Democratic Senator for New York, gives a "witness report" of modern times using original, first hand sources on many occasions. His aim is the return to the rule of international law in America's foreign policy. In order to supply this aim with arguments, he gives a whole armada of examples from the past and modern history - all carefully researched in detail.

He begins with the founding of the nation, spends two chapters on the presidencies of Wilson and Roosevelt and finally, especially in "A Normless Normalcy?" deals with the Republican administrations of Reagan and Bush.

While President Wilson failed to achieve consent from the Senate to U.S. membership in the League of Nations - Lodge's collecting signatures for a resolution on revision of the League "was the end of it" (p. 50/51) - his dream of American participation became reality when President Roosevelt received the support of Congress to join the United Nations. One of the problems in getting that support was the conflict between the power of the President and of Congress to declare war (Art. I Sec. 8 U.S. Constitution). They reached an agreement (p. 78), but the issue has come up again several times in U.S. history, e.g. President Bush's sending troops to the Middle East.

To describe the American way of handling problems concerning international law Moynihan gives examples such as the hostage taking at the U.S. Embassy in Teheran, the Grenada and Libya cases: actions which took America well beyond the limits of self-defense.

Obviously, at some point in U.S. history, international law got lost. Moynihan elaborates on President Reagan's lack of confidence in the ICJ and appeals to uphold international law when accusing the Reagan administration of violating international norms in Nicaragua, saying President Reagan's mistake was associating international law with U.S. weakness. "Real men did not cite Grotius" (p. 7).

The author believes, though, that since the time of cold war has ended and hostility between the East and the West has ceased to exist, relations can be different. As Gorbachev said: "[...] awareness of our common fate grows, every state would be genuinely interested in confining itself within the limits of the international law" (p. 81). The president of the (former) Soviet Union also stressed that "we think that the jurisdiction of the International Court in The Hague with regard to the interpretation and application of agreements on human rights must be binding on all states" (p. 97). The East has begun to make a fresh approach towards international relations by way of international law. In his farewell address to the 43rd session of the UN General Assembly President Reagan said: "I stand at this podium in a moment of hope - hope, not just for the peoples of the United States or the Soviet Union but for all the peoples of the world, and hope, too, for the dream of peace among nations, the dream that began the United Nations. Precisely, because of these changes, today, the United Nations has the opportunity to live and breathe and work as never before" (p. 155). A first step in the right direction. Under the Bush administration the U.S. moved towards a reconciliation with the ICJ.

The Panama conflict shows that the American view does differ considerably from what the Charter intended. On Dec. 20th 1989 Secretary of State James Baker tried to justify U.S. actions by arguing that the actions taken were fully in accordance with international law. "Both the United States and the Soviet Union today are supporting democracy. The difference is that the Soviet Union supports democracy by staying out of countries and thus permitting democracy to proceed. In this one and very unique instance, the United States did it by going in" (p. 171). This could not be covered by Art. 51 of the Charter as President

Bush suggested. Another clear example how views in international law have changed. Has America perhaps made her own international law already? "[...] We are moral and we do whatever we think is right" (p. 176).

The "purposes" of the United Nations are to maintain international peace and security and "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples". Moynihan points out that both the Covenant of the League of Nations and the Charter of the United Nations are decisively American documents just like (in the beginning) the law of nations has been the foundation for America's national existence. It is time for America and the world to remember and re-evaluate this. Maybe the recent Gulf War has been a new start towards international law in some respects. (Did President Bush read Moynihan's book?)

With his book Senator Moynihan keeps President Wilson's ideas and ideals of international law alive. He reminds America and the world of their heritage and calls upon Congress to act. "Words? Yes. But such words can in themselves be deeds" (p. 90).

What does the book offer the reader? Certainly something different to a German or European reader than to an American. For us, there is a lot to learn about internal procedures in the American political system, but the book covers more than just that. It is a general appeal to return to international law, not just a book for experts in the legal or political field. It is instead a book for everyone who cares about what happens to our world. Hopefully, readers will understand the deeper meaning and importance of Moynihan's words so that the book becomes as successful here as it has already been in the United States.

*Dagmar Reimann*

*Wilfried von Bredow*

**Der KSZE-Prozeß. Von der Zähmung des Ost-West-Konflikts**

Wissenschaftliche Buchgesellschaft, Darmstadt, 1992, 199 S., DM 22,50

Der Marburger Politologe von Bredow charakterisiert die KSZE als einen im Juli 1973 in Helsinki begonnenen Prozeß, der mit der Verabschiedung und Unterzeichnung der Schlußakte im August 1975 endete und aus dem sich eine ganze Konferenzfolge und eine Reihe von Expertentagungen entwickelte. In der Hauptsache ging es um Sicherheit. Zunächst wurden alle kontroversen Probleme aus der KSZE ausgeklammert und auf später verschoben. Am Anfang begegnete der Westen diesem in erster Linie sowjetischen Projekt mit Skepsis, weswegen sich die Mitgliedschaft der nicht in ein Militärbündnis einbezogenen Staaten als besonders hilfreich erwies.

Die Schlußakte von Helsinki ist "als Anfang einer Politik der Entspannung und Kooperation" (S. 45) anzusehen. Sie ist eine politische Absichtserklärung, kein völkerrechtlicher