

BOOKS

LAW, MORALITY, AND THE RELATIONS OF STATES

by Terry Nardin

(Princeton University Press; 351 pp.; \$35.00/\$14.50)

Robert J. Myers

It is rare to come across a book on international relations that looks at the subject through fresh eyes and moves one to make new connections, to pause from time to time to nod and say, "Yes, that is true and valuable." Such earlier works as Frederick Schuman's *International Politics* and Hans J. Morgenthau's *Politics Among Nations* are of that order. Nardin's book, providing a "practical theory of how the international system actually works," may well rank with them.

Schuman wanted to present international politics from the viewpoint of the "new political science," going outside the framework of legal and diplomatic history. He was interested in explaining the dynamics of the Western state system as challenged by the "Fascist triplice." Morgenthau wanted to explicate the role of power in the new, more dangerous bipolar world so that foreign policy might develop in terms of national strength and national interest. This was the way to preserve the peace. He was principally concerned about the tendency of U.S. foreign policy to assume a crusading role—whether it was Wilson making the world safe for democracy or Dean Rusk saving the world by stopping the Chinese hordes in Vietnam.

Both these books in their day continued the debate between the idealists—who sought an international order based on transcendent values and were often led to embrace simplistic or one-issue doctrines or systems (pacifism, world government)—and the realists—who considered themselves better attuned to the subtleties of world politics and saw the practice of the art of the possible as the best that could be done.

"My aim in this book is to consider the ideas of law, morality, and society as they pertain to the relations of states," begins Nardin. "These ideas are central and not, as many hold, peripheral to the study of international relations. I want to defend the view that the practices of international law and international morality constitute the indispensable foundation of all durable international association. To the extent that the relations of states achieve a significant degree of permanence, rising above the level

of mere episodes in the separate histories of isolated political communities, they must be understood as taking place on the basis of common, authoritative practices and rules. And this, I shall argue, means that they must be understood as occurring within a world of legal and moral orders."

Nardin disassociates his "practical conception of international society, law and morality" from the idealist-realist debate. "The attitudes both of those realists for whom the common rules are only to be recognized as authoritative when they serve the national interest and of those idealists who insist that the only authoritative rules are those that serve the common interests of states, or of mankind, are equally misconceived." In dealing with the idea of international society, Nardin theorizes that the real way law and morality operate in the international context is when states follow procedures in concert as a result of their own individual interests, rather than in a "purposive" way, which would require them to share values and ends. This, in practice, is the way that international society continues to function—and far better, perhaps, than is generally recognized.

The book is divided into three parts: The first part considers the ways international law has developed over the centuries; the second considers authoritative practices that have resulted in "positive" law—that is, according to Grotius, instituted or voluntary law, which derives from "the will of all nations or of many." The third part considers the moral aspects of all these traditional rules and procedures that govern relations among states.

Nardin's principal inspirations in this philosophic undertaking are Michael Oakeshott in his book *On Human Conduct*, and Michael Walzer, author of *Just and Unjust War* and an authority on morality and international conduct. Neither in the index nor in the citations is there a single reference to either Schuman or Morgenthau, though both would have reinforced Nardin's arguments. This is not meant as a reflection on Nardin's scholarship, which is of a high order indeed, but, rather, as an indication of the gap separating those tutored in in-

ternational affairs by the experience of two world wars and the new breed of scholars.

Nardin argues that international law as it exists today is strong and well. He is not moved by the traditional arguments of European scholars that international society is simply a primitive anarchy when compared with the domestic society of any nation-state. It was that flawed perception that first produced the idealist imperative for world government (Kant, Mill) that would require the international scene to match the conditions of the domestic one—a community of shared beliefs, customs, and laws, with their enforcement regulated by "the legal values of certainty, consistency, uniformity, and impartiality." Short of this, the traditional argument runs, anarchy will continue. For example, as Morgenthau writes, in domestic law it is the exception for the victim to do the enforcing, while in international law "the victim, and nobody but the victim of a violation of the law has the *right* to enforce the law against the violation. Nobody at all has the *obligation* to enforce it."

Nardin focuses on two points: (a) positive international law procedures, although they lack centralized institutions, carry considerable weight in international society; (b) morality plays a governing role in the way states actually deal with each other, and moral concerns have, to some extent, weakened the absolute sovereignty of a state over its inhabitants.

During a time of particular tension between the U.S. and the USSR, it is well to remember that the skein of customary international agreements are still in place. Even Morgenthau, after his deprecatory comments on the effectiveness of international law, was ready to state: "The actual situation is much less dismal than the foregoing analysis might suggest. The great majority of the rules of international law are generally observed by all nations without compulsion, for it is generally in the interest of all nations concerned to honor their obligations under international law."

Schuman lists the form that sanctions of international law take as habit, expediency, good faith, and organized force. High on his list is habit—"the whole force of inertia"—since "States, no less than individuals, are prone to do things in ways that are easy because traditional." Nardin raises the argument several levels, however, by keeping his own fine argument close to the distinction between domestic and international society. These, he argues, are really different in kind. Shared values and ends—the stuff of community—should not be expected, and are certainly not required for

international society. In fact, as Gibbon and others have stated, the pluralism of international society may be better than "shared values." This latter almost inevitably carries with it the implied necessity of a world tyrant. Or, as Jacques Barzun states in *A Stroll With Henry James*, "it is not assured that states all over the world shall ever adopt what would be a curious paradox: a uniform degree of pluralism. Clearly, if we ever have 'one world,' it will be only after agreeing to be many—though not too many."

As for international morality, Nardin relates it to the development of international law. They are tied together by a similar vocabulary of "obligation, justice and rights." But here too there is a conflict between an idealist and a realist morality. One is a morality of perfection; the other allows for change and a new cycle of criticism. Nardin recognizes the difficulty of finding a single international morality but concludes that "not everyone is committed to a pluralistic world, but everyone must live in one. The common morality reflects an appreciation of that fact." International justice is also a value on which many agree in regard to some human rights, but they do not agree on rights that involve notions of distributive justice—an agreed-upon division of the world's material goods.

Nardin finds more agreements on practical procedure than many would anticipate, given the fact that the principles of international law have largely evolved from the experience of the states of Western Europe. The Soviets, applying the convenient Marxist dialectic, find that international conduct develops out of "struggle," and the People's Republic of China also subscribes to this. It should be noted, however, that "struggle" was recently seen to include the Soviets' shooting down of an unarmed Korean airliner and the Chinese advisory mission to Pol Pot's regime in Cambodia.

So how does all this end? The book goes to considerable length to demonstrate that the idea of international society is not the same as the idea of domestic society with the shared values and goals a host of sociologists consider essential for governance; but neither is international society a primitive anarchical state. It is pluralistic, held together by history and legal precedents: "In the absence of agreements, agreement on procedures is required if destructive conflict is to be avoided." The reader may decide whether to place this thesis in the idealist or realist school. But Nardin has given us an important tool and a valuable theoretical device for analyzing that gray area between war and peace where international relations hover today. [WV]

THE RUSSIAN REVOLUTION

by Sheila Fitzpatrick

(Oxford University Press; vi + 181 pp.; \$19.95)

LENIN AND THE PROBLEM OF MARXIST PEASANT REVOLUTION

by Esther Kingston-Mann

(Oxford University Press; x + 237 pp.; \$27.50)

Thomas M. Magstadt

"No revolution is ever truly successful, since the revolutionary spirit (no doubt fortunately) always dies. But in cases where the revolutionary regime survives and assumes permanent form, the presumption must be that it has satisfied some of the revolution's promises." This observation from the closing paragraph of *The Russian Revolution* nicely encapsulates the thesis of the book.

Sheila Fitzpatrick has provided a superbly crafted little volume on the origins and implications of a political event that, in her words, "remains one of those ambiguous milestones in human history that scholars, politicians and ordinary thinking people keep coming back to decipher." There have been many new studies of the Russian Revolution published recently, but in sheer value to the undergraduate—or even graduate student—none holds a candle to this concise and lucid account.

The book covers a lot of old ground, but the author has succeeded in synthesizing the best of the earlier studies and, in the process, giving the reader a fresh look at this seminal period. The book's originality lies in its emphasis on the sociological dimension of the Bolshevik Revolution. Fitzpatrick demonstrates that (a) the Revolution was not simply a power grab by a handful of fanatics in the two Russian capitals; (b) the Bolsheviks, both before and after the Revolution, had substantial working-class support; and (c) the Revolution resulted in a wholesale turnover not only of the top echelons of the party-political leadership but also in the social origins of the bureaucratic and managerial class.

Fitzpatrick argues with compelling logic and abundant evidence that the Revolution really did provide Russia's downtrodden masses with unprecedented opportunities for upward social mobility. In that limited (albeit crucial) sense, the Russian Revolution did fulfill its promise. However, the author argues that the Revolution was, in another sense, betrayed by Stalin—and earlier by Lenin, who supplied Stalin with ample precedents for the bloody tyranny of the

1930s. The "great retreat" following the Cultural Revolution that accompanied Stalin's First Five-Year Plan signalled the abandonment of both vulgar egalitarianism and class war.

While correctly noting the parallels between Leninist and Stalinist methods, Fitzpatrick also draws several valid distinctions: for example, "despite the precedent of Civil War terror, large-scale and sometimes random terror in time of peace was one of Stalin's political innovations."

(The author's description of the Stalinist Thermidor in the '30s bears a striking resemblance to the Andropov policies so familiar to observers of the contemporary Soviet scene: "The managerial values of discipline, order and cost effectiveness came to the fore, and were now described as socialist values.... There was particular concern about labour discipline, and a series of decrees was issued imposing stern penalties for absenteeism and other offenses....")

Esther Kingston-Mann's new book focuses on a much-neglected dimension of the Russian Revolution, namely, the role of the peasantry in Lenin's political thought. The author begins by examining the relevant antecedents in Marxist ideology in general and in Russian Marxism in particular. It comes as no great surprise to learn that Marxist class analysis in general was always peculiarly arid with respect to the peasantry and that Russian Marxism was no exception. Furthermore, in his early years Lenin was hardly less hostile to the peasants as a class than were his confederates in the Russian Social Democratic party (RSDP).

Unlike the others, however, Lenin's appraisal of the revolutionary potential of Russia's peasant masses changed after the upheavals of the early 1900s, and especially after the Revolution of 1905 and 1906. In Kingston-Mann's words:

"According to Lenin, political consciousness was not a permanent monopoly of the Social-Democrats, or even the urban-proletariat. Peasant uprisings were not inevitably blind and spontaneous; political consciousness could be 'instilled' into the peasantry by revolutionary propaganda, and above all by a material situation which ensured that they 'could not help' but want to go further than the bourgeoisie. Lenin argued that in practice, when peasants were confronted by moderates who asked them to return the land which they had taken or pay out a ruinous compensation, they would come to understand that only a revolutionary government of workers and peasants would sanction their efforts to reclaim the