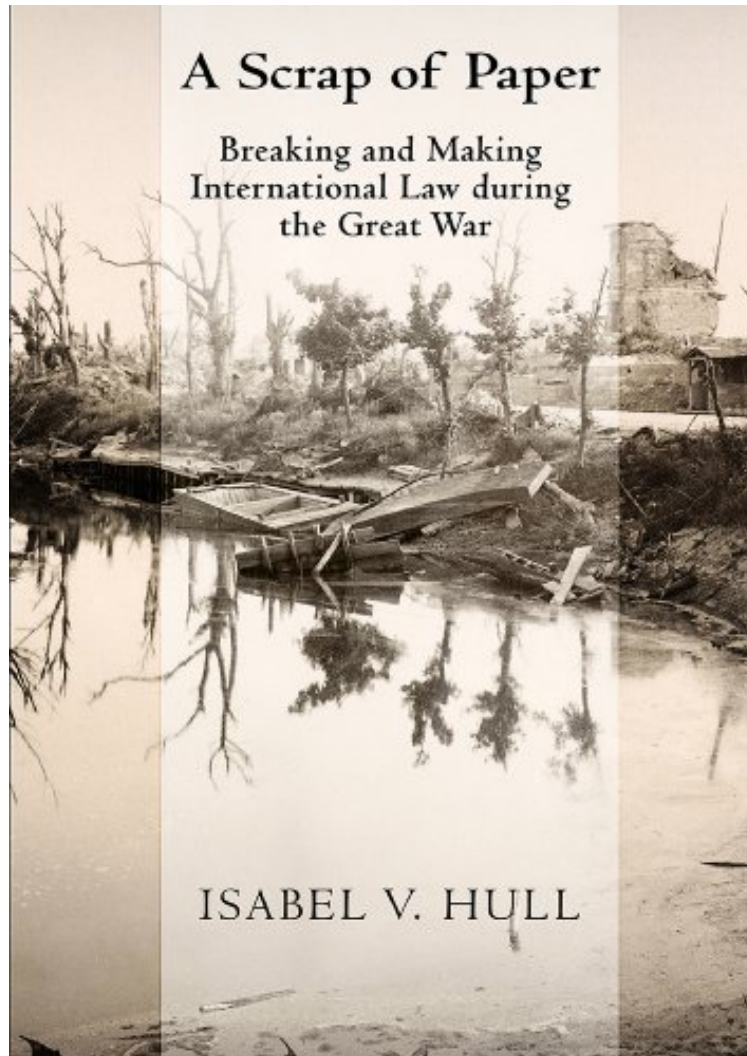


(Free) A Scrap of Paper: Breaking and Making International Law during the Great War

# A Scrap of Paper: Breaking and Making International Law during the Great War

Von Isabel V. Hull

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**Von Isabel V. Hull : A Scrap of Paper: Breaking and Making International Law during the Great War** before purchasing it in order to gage whether or not it would be worth my time, and all praised A Scrap of Paper: Breaking and Making International Law during the Great War:

KundenrezensionenHilfreichste Kundenrezensionen0 von 0 Kunden fanden die folgende Rezension hilfreich. Law In History, Law As HistoryVon James GallenWar is often viewed as a state that respects no law but that of might. That is not the state depicted in A Scrap of Paper. It is a study of the role international law played in the Great War and the role the War played in the development of that law. It examines the issues that arose, the theories of law that competed

and the men who framed them. The Great War is portrayed as a time when scraps of paper called warriors to the field of battle, swayed international opinion and fueled propaganda duels. British and, to some extent French, intervention in World War I was driven by The Treaty of 1839 which established an independent Belgium with its neutrality guaranteed by Great Britain, Austria, France, Prussia and Russia. This solemn obligation to the British and a scrap of paper to the Germans is still debated by historians. Did it obligate its signers or was it an irrelevant anachronism that could have easily been avoided? With Europe plunged into War the legal disputes turned to balancing the rights and obligations of conquerors and conquered. It distinguishes between a levee en masse, a civilian resistance against advancing enemies, which was generally legal, and an insurrection against an occupying power, which was usually unlawful. This work probes the obligations of the occupier to provide for and govern the occupied territories and the circumstance under which it could impose work requirements and extract taxes. The use that could be made of POWs and the level of subsistence to which they are entitled were not issues that arose along the River Kwai. Military necessity was often invoked to justify actions that were otherwise illegitimate. The circumstances and the extent that a blockade was permissible were hotly debated by the competing sides. Could food be interdicted even if it caused starvation? How effective must a blockade be to be lawful? Could it be enforced against neutral ports bearing goods to belligerents? Could neutral shipping be stopped or sunk? Would humanitarian aid, such as the food for Belgium raised by American Herbert Hoover be exempt from blockade, even if it did relieve Germany of its obligation to feed its captives? Was it justified as economic warfare? All of these questions were debated by each side. New weapons called for new laws. Airplanes and zeppelins permitted bombings of enemy cities. Could they be employed against civilian targets? Was a German bombing of London any more illegal or inhumane than British interdiction of supplies directed toward Germany? Could submarines be expected to halt and inspect merchant shipping and make provisions for its crew and passengers before sinking it? A Scrap of Paper is a study of law in the context of history. The influence of the violations of International Law influenced neutrals differently. German atrocities in Belgium and the rights of neutrals on the high seas were of paramount importance to the United States, while the Netherlands, caught as it was in the middle, and the Scandinavians with their German sympathies, saw things differently. It provides insights into the propaganda campaigns of both sides. This work is of interest to any student of World War I or International law. Some of the changes in law occasioned by the new conditions of the war were codified during the subsequent peace. A reader possessing a broad familiarity with history will recognize questions that arose during of other wars, both before and after the Great War. The studies of military necessity shine light on Lincoln's justification for the Emancipation Proclamation. Examination of the legality of sinkings and bombings presaged the much immensely greater scale of indiscriminate destruction of World War II. When I first picked up this book I was of the opinion that the law of war was largely what could be justified by the victor. By its end I realized that there have been efforts to civilize the most uncivil of human activity. A Scrap of Paper is for determined readers. Author Isabel V. Hull has done an impressive job in her research and writing. For a student of the law of war it is magnificent. A reader will pick up some aspects of the general history but it takes a lot of reading for a few slivers of information. This is a book for experienced and deep students of the Great War, but causal readers should start elsewhere. I did receive a free copy of this book for review.

**Kurzbeschreibung** A century after the outbreak of the Great War, we have forgotten the central role that international law and the dramatically different interpretations of it played in the conflicts origins and conduct. In A Scrap of Paper, Isabel V. Hull compares wartime decision making in Germany, Great Britain, and France, weighing the impact of legal considerations in each. Throughout, she emphasizes the profound tension between international law and military necessity in time of war, and demonstrates how differences in state structures and legal traditions shaped the way in which each of the three belligerents fought the war. Hull focuses on seven cases in which each governments response was shaped by its understanding of and respect for the law: Belgian neutrality, the land war in the west, the occupation of enemy territory, the blockade, unrestricted submarine warfare, the introduction of new weaponry (including poison gas and the zeppelin), and reprisals. Drawing on voluminous research in German, British, and French archives, the author reconstructs the debates over military decision making and clarifies the role played by law where it constrained action, where it was manipulated to serve military need, where it was simply ignored, and how it developed in the crucible of combat. She concludes that Germany did not speak the same legal language as the two liberal democracies, with disastrous and far-reaching consequences. The first book on international law and the Great War published since 1920, A Scrap of Paper is a passionate defense of the role that the law must play to govern interstate relations in both peace and war. **Pressestimmen** Over the last decade, with wars in Iraq and Afghanistan, the laws of armed conflict have become matters of popular and public interest. Despite the growth of international humanitarian law, much of the law with which we still operate dates from the fifteen years just before the First World War and was applied within it. A Scrap of Paper is the first book to pay sustained attention to the subject of international law in the First World War since 1920. It is not only a timely book, it is an overdue one, and its impact on the study of the war will be important and game-changing. Isabel V. Hull has the linguistic range and scholarly tools to tackle the subject in the truly

comparative fashion that its complexity demands." Sir Hew Strachan, All Souls College, University of Oxford, author of *The First World War: To Arms*" Isabel V. Hull's passionate narrative of the role of international law in the decision-making processes in Berlin and London during the First World War opens a strikingly original perspective on the consciousness of the wartime actors. This was a war waged also by legal arguments. In the end, the inability and unwillingness of Imperial Germany to defend its case in legal terms crucially undermined its war effort. This is not only superb history, but also the most powerful defense of the role of law in international crisis that I have read, and as such is of obvious contemporary relevance." Martti Koskenniemi, Academy Professor, University of Helsinki, author of *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960*" "A Scrap of Paper is a strong demonstration of the worth of international law and the laws of war in particular, and vindicates Ms. Hull's standing as one of our greatest historians of modern European politics." Samuel Moyn, *The Wall Street Journal* (June 6, 2014)" "Cornell University history professor Isabel V. Hull gives a thorough and thoughtful investigation into one of the war's trigger points, the legal issues surrounding Germany's invasion of Belgium. The assault widened the war by drawing in Britain, committed by treaty to protecting Belgian neutrality. Germany was a signatory to that same treaty, but its army command believed that "military necessity" trumped international agreements and, as Hull finds, Germany's military seldom coordinated its planning with the country's civilian leaders. A Scrap of Paper is a luminous account of war and international law with implications for recent and ongoing world conflicts." David Luhrssen, "Shepherd Express" (August 2014)" "A Scrap of Paper should be required reading for scholars of World War I and of the laws of war. It raises outstanding questions, such as why World War I is the exception to the rule that major wars tend to be followed by new laws of war. It also should have a wide readership among international relations scholars." Tanisha M. Fazal, *Political Science Quarterly* (Winter 2014-2015)" "[A Scrap of Paper] is an impressive analysis, by a remarkable historian, of specific international laws (both customary and treaty-based) that were historically regarded as important by the protagonists at the outset of World War I, the Great War of 1914-18. The book's author, Isabel Hull, a professor of history at Cornell University, contends that breaches of these rules were at the heart of the perceived need to have recourse to war. . . . This splendid publication does not in any general sense determine where responsibility lay for World War I. Many books have recently addressed this topic. But that is not the author's intention. Rather she intends and totally succeeds to show that World War I cannot be understood without an appreciation of where the Great Powers stood on the momentous international law issues of the day. Thus she reveals through prodigious scholarship, eschewing the broad sweep and examining in this fashion every relevant international law controversy before and during the war. And through this indirect means (ideally with the help of recently written important histories of World War I), the reader will also have a better sense of Germany's relentless advance towards hegemony. And the reader whose field is international law will have seen deployed in these pages an understanding of various possible interpretations of critical elements of law. Ideas relating to military necessity, self-defense, neutrality, reprisals, 'new weapons,' and constraints in submarine warfare are unfolded here as never before because the historical context in which they were formulated and invoked is so marvelously explained. A Scrap of Paper is an outstanding book and a work of exceptional scholarship." Rosalyn Higgins, *American Journal of International Law* (July 2015)" "This book will be of interest to serious students of World War I. It explores important, long-forgotten decision making that influenced some of the best known and far-reaching operations in military history. A Scrap of Paper is also a source of unusual case studies for practitioners who need to understand how diplomacy, operational design, and strategic communications shape, and are shaped, by international law. 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