

1970

## China and International Agreements

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### Recommended Citation

Lissitzyn, O.J. (1970) "China and International Agreements," *Naval War College Review*: Vol. 23 : No. 6 , Article 17.  
Available at: <https://digital-commons.usnwc.edu/nwc-review/vol23/iss6/17>

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## 108 NAVAL WAR COLLEGE REVIEW

general reference and can be purchased through the History and Political Science Department of Rensselaer Polytechnic Institute. A second volume containing noncombatant vessels is projected.

D. G. WHITE  
Ensign, U.S. Naval Reserve

Birnbaum, Karl E. *Peace Moves and U-boat Warfare*. Hamden, Conn.: Archon Books, 1970. 388 p.

In this reprint of his earlier book, Karl E. Birnbaum presents a very scholarly treatment of two mutually exclusive alternatives in German foreign policy during the First World War. By tracing the wartime history of Germany's diplomatic relations with the United States, he effectively illustrates how the two issues of peace negotiations and unrestricted submarine warfare merged into one at the time of the *Sussex* crisis in April 1916, which was not resolved until early in the following year.

One of the book's most commendable features is its revelation of the intricacies of Germany's domestic politics and their relationship to her foreign policy. The author introduces a weak Kaiser, who was unable to exert his authority over either his chancellor or the military, and a divided Reichstag, whose parties advocated as peace terms everything from the *status quo ante bellum* of the Social Democrats to the expansionist policy of the Conservatives. Within this amorphous mass two strong men emerged, the Chancellor Bethmann-Hollweg, who worked earnestly for a compromise peace, and General Ludendorff, the dominating member of the duet that captured the popular imagination at Tannenburg. Increasingly the issue of peace negotiations or unrestricted submarine warfare became part of the broader struggle between the civilian government and the military. The refusal of the Allies,

especially Great Britain, to negotiate with Germany resulted in the collapse of civilian influence and the decision to resort to unrestricted submarine warfare.

The book contains shortcomings, notable among which is the author's insistence on using long untranslated quotations which make a working knowledge of German necessary to the comprehension of the key passages. On a broader vein, the book is not for the casual reader. It is a pedantic work which contains both major and minor events, and it will be of interest mainly to the scholar or student doing serious reading on the topic. By using effectively the wealth of source material now available, Mr. Birnbaum has produced a book which presents not only the trees, but the glimpses of the forest as well.

DONALD G. WHITE  
Ensign, U.S. Naval Reserve

Lee, Luke T. *China and International Agreements*. Leyden: Sijthoff, 1969, 231 p.

At a time when the policy of the United States toward China may be under reconsideration, the question of the extent to which the People's Republic of China complies with its treaty obligations is bound to be asked. Although the subject of Communist China's attitudes and behavior with respect to international law is now being studied in several places in the United States, including Harvard Law School, Dr. Lee's monograph is the first serious book-length inquiry to be published in English. It is based not only on documentary research, but also on extensive interviews with Western and Asian officials and others who have had dealings with Peking. The study is admittedly tentative and incomplete. It is actually less than 130 pages long, the rest of the volume consisting of a reprint of the author's long and instructive article on the Chinese concept of law (first

published in 1962), a note on the extraterritorial regime in China (which came to an end before the Communist takeover of the mainland), and the texts or translations of the most important treaties and other documents discussed by the author. The international agreements of the People's Republic are considered under the categories of "Boundary Treaties," "Ambassadorial Talks," "Korean Armistice Agreement," "Fisheries Agreements," "Trade Agreements," "Economic Assistance," "Cultural Agreements," "Double Nationality," and "UNICEF." The bulk of the study is devoted to the first five categories, concerning which valuable materials little known in the United States are presented. These materials shed light not only on the performance of the agreements, but also on Communist China's practices with respect to negotiations and procedures which culminate in the conclusion of treaties.

All efforts to assess the degree to which a particular state has complied with its treaty obligations encounter major difficulties. First, charges and countercharges of treaty violations often ensue from differing interpretations of the treaties concerned or of international law rules governing the validity and termination of treaties. A scholar who tries to determine whether a treaty has been actually violated performs a quasi-judicial task without the benefits of a judicial procedure. Even judges in their decisions concerning such matters, moreover, cannot entirely escape the element of subjective appreciation. Second, treaty provisions and treaty violations vary greatly in the degree of their importance and magnitude. Should a minor violation of a technical provision be accorded the same weight as the outright repudiation of a major treaty obligation? If not, what should be the scale of relative importance? And, third, the record of compliance of a particular state with its treaty obligation is really significant

only in comparison with the records of other states. But the treaty compliance record of even the more important nations still remains to be compiled and studied. Dr. Lee has not entirely overcome these difficulties. His study, nevertheless, deserves some attention.

The author's tentative conclusions with respect to compliance with treaty obligations are generally favorable to the People's Republic (and, incidentally, also to the Nationalist Government in Taiwan). His judgment is perhaps not uncolored by his unconfessed desire to see an improvement in the relations between the United States and the People's Republic. An observer not linked to China by ties of blood and culture may cautiously conclude, on the basis of the admittedly incomplete evidence presented by Dr. Lee, that the record of compliance of Peiping with its treaty obligations is probably no worse, but also no better, than that of most other major powers. No state is likely to attach greater weight to legal obligations than to vital national interests.

O. J. LISSITZYN  
Charles H. Stockton  
Chair of International Law

Nieburg, Harold L. *Political Violence: the Behavioral Process*. New York: St. Martin's Press, 1969. 184 p.

This book, an expansion of an original monograph written by the author for the National Commission on the Causes and Prevention of Violence, is a theoretical diagnosis of the conditions of political violence. It is an attempt to recognize the many dynamic social factors involved and the effect that the various kinds of political violence have on our society. Nieburg creates this model for reader understanding by defining the elements of the social bargaining process and their relevancy by criticizing some of today's common theories of the causes of political violence, by discussing the role of legiti-