


REVIEWS AND NOTICES

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Axis Rule in Occupied Europe. By RAPHAEL LEMKIN. Washington: Carnegie Endowment for International Peace. New York: Columbia University Press. 1944. Pp. xxxviii, 674. (\$7.50).

Students of international relations have reason to be thankful not only for the timeliness of this volume but for the very fact of its publication. In it are collected and classified legislative, governmental and military decrees which the Axis Powers promulgated and imposed upon the occupied countries and areas of Europe. These "laws of occupation" are set out in Part III of the book under the names, listed alphabetically, of the subjugated territories. This documentation, which takes up more than half of the volume, is preceded by a largely narrative account of the occupant's administration of the various occupied countries; and this account, being Part II of the volume, is in turn preceded by an illuminating and synthetizing appraisal of Germany's "techniques of occupation".

The appraisal runs just short of 100 pages but enough is said on Germany's administration device, including the police, its attitude towards law and courts, its treatment of property and of labour, its monetary policies, to highlight a general pattern of control which was designed to make of occupied Europe a slave pit in which Europe's peoples would be harnessed to the advancement of the members of the German master race. The German view of an occupant's role, as interpreted by Dr. Lemkin and as exposed in various decrees included in this volume, pays scant respect to the Hague Regulations respecting the Law and Customs of War on Land, and is little concerned with those intangibles which we commendously describe as humanitarianism and civilization. The stringency of the application by Germany of its occupation techniques varied from relative mildness in a country such as Denmark to extreme rigorousness against Slav peoples and against Jews; in their case, the author termed the German policy one of "genocide", meaning a coordinated plan of activities having the effect of destroying national or ethnic cohesion and leading to extermination. It is in this connection that the author reiterates a suggestion he advanced some years ago that "barbarity" and "vandalism" be added to the list of international crimes which now include piracy, slave trade and counterfeiting.

It will not be to the point for anyone to quarrel over details in Dr. Lemkin's interpretation of Germany's aims in its occupation policy. The documentary record of the leader of the Axis powers is sufficiently condemnatory; and that of its puppet partners is no less so. International law must become more elastic to deal with situations such as those presented by the Axis programme, lest we find ourselves again in the position of having to tilt at dynamic movements with static legal concepts. This requires, if not wholly changes in substantive law, at least some of the boldness in approach which characterized Justice Jackson's recent report on war crime trials.

B. L.