It is the Court’s view that the possibility cannot be ruled out in principle that a Minister of Justice may, under certain circumstances, bind the State he or she represents by his or her statements.\(^5\)

While the Court did not clarify what these ‘certain circumstances’ may be, this statement could be taken to mean that a Minister of Justice could bind the state in respect of matters falling within his/her purview irrespective of a power of representation under municipal law.

One aspect of unilateral acts that is beset with uncertainty and confusion is that of their revocability. Here, practice is virtually inexistent, and doctrine is inconsistent. Given the unilateral nature of promises, Eckart advocates a more flexible and lenient possibility of revoking them as compared to treaty obligations (pp. 263-276). He proposes a ‘ground rule’ to the effect that promises are revocable albeit not freely and at any time; furthermore there should be some formal or procedural safeguards, such as a requirement of *actus contrarius* or reasonable notice. In principle he also supports the ILC’s approach for revocation in specific circumstances (*e.g.* *lex specialis* according to the terms of the initial promise or fundamental change of circumstances). Eckart’s well-balanced considerations are supplemented by the interplay between promises and the principle of estoppel which may operate as a bar to any kind of revocation (pp. 277-294).

Christian Eckart’s book is a thorough study of state promises as the most important manifestation of unilateral legal acts in international law. It is comprehensive, well-researched, cogently argued and fills a gap in the existing literature. While grounded on solid theoretical argumentation, the author succeeds in putting the theoretical implications of the topic into practical perspectives which is warranted when analysing such a flexible and pragmatic concept as state promises.

*Stephan Wittich*


The following review adds on to the review by Ralph Janik in the previous issue of the ARIEL, in particular by providing some context on the current state of interdisciplinary cooperation between legal studies, history, and – particularly relevant as a separate discipline within the Germanophone academic


landscape – legal history. With this publication Bardo Fassbender and Anne Peters have successfully added a volume on legal history with a particular focus on the history of public international law to the well-known Oxford Handbook series, which already boasts more than 500 different titles, 28 of which fall into the category of history and historiography. The present volume brings together 63 authors from six contents, who contributed an overall 66 chapters to The Oxford Handbook of the History of International Law.

The volume positions itself as an ‘authoritative and original overview’ combined with ‘a global and an interdisciplinary approach’ (see the jacket blurb). Still, more than half of the authors have a European background, which is probably in part due to the fact that both editors are from the German-speaking scientific community, which still sees public international law scholarship firmly placed within the academic institutions of Western Europe and the United States, from where it exerts its authoritative reach across the globe. Around one third of the authors have a background in the humanities. The majority, however, consists of lawyers, some of whom have additional historical qualifications or experience.

For a volume that appears as a historical research contribution the set-up appears peculiar. The editors are neither historians, nor – as still prevalent as a separate discipline within the Germanophone academia – legal historians. Instead, both editors are public international law scholars. This fact probably stems from both the fact that the volume is part of the law section of the Oxford Handbook series as well as the interdisciplinary ‘law and’ approach so present in public international law scholarship today. The latter often includes forays into international relations, philosophy and sociology, as well as a rising interest in the historical roots and development – including theory – of public international law.

Unfortunately, however, the disciplines of history, legal history, and public international law still suffer from a lack of exchange within the Germanophone academic landscape. Most faculties do not have any focus on the history of public international law. Where such a focus exists, it is usually part of the still domestically oriented legal history and owed to the chance interest of the respective professor (cf. pp. 20-21). With regard to the humanities, classic diplomatic history has still to consider and explore the methodology of public international law as an ‘historical auxiliary science’. But the landscape is brightening up: Interdisciplinary projects with a focus on public international law – such as that of Stefan Troebst, Adamantios Skordos, and Dietmar Müller at the University of Leipzig7 – have become a popular focus of historians and the law faculty of the University of Vienna has recently seen the addition of a legal historian with