Review Essay

International Law in China, Past and Present: 
Study on the History of International Law, 
YANG Zewei*

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The few studies on the history of international law published in China have never aimed to cover the entire history of international law, dealing primarily with the history of a specific legal system or a specific period in a given country. As the first to fill this blank, Yang Zewei has with his monograph entitled Guojifa shilun or Study on the History of International Law published during 2011 at Beijing in the Chinese language ambitiously and successfully unfolded a long and grand panoramic scroll depicting the evolution of international law in a manner which is of high academic value as well as practical significance.

Based on three historical events, namely the Peace of Westphalia in 1648, World War I, and World War II, and on analysis of the characteristics of

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international law, the span of recorded history is divided by the author of *Study on the History of International Law* into four periods: origin of international law (ancient times to 1648), modern period (1648 to 1914), late modern period (1914 to 1945) and contemporary period (1945 to present). Six chapters are comprised by the *Study*, with each of the first four chapters devoted to one time period, the fifth discussing trends and prospects of contemporary international law, and the last chapter devoted exclusively to Chinese international law – its evolution and academic study. As Yang puts it, “studying the history of international law is not to expound its contents or legal theories or schools in each period, but to delineate its trajectory – its origins, its progress and its status quo – so as to find out the reasons behind it and make a better future.”

*Study on the History of International Law* reflects a Chinese scholar’s perspective in the China of today and simultaneously embodies the long-cherished traditional expressionistic philosophy that the goal of a historian’s works is not simply to restate events, but “to capture their soul”, or reveal inherent dynamism within a system and delineate its unseen rules. His division of the history of international law, choice of landmarks in its development, and analysis of contemporary tendencies, manifest Yang’s ingenuity in harmony with Chinese philosophy. This aesthetic philosophy may be challengeable at least in regard to application given the fact that international law by worldwide consensus is a “soft” law while the author’s ambition explicitly is to seek out and portray its essence as an international “law” despite its softness.

Professor Yang’s interdisciplinary education together with his scholarship in law as well as history have enabled him to fulfil his task in completing his latest contribution to international legal science, based on extensive research. His outlook and expertise as a historian were established when studying for his BA and MA in history. He earned a PhD in international law in 1997. Since the completion of his doctoral studies, Yang’s published works have revealed a subtle combination of history and law from an international perspective exemplified in his *Research on New International Economic Order* (1998), later in *History of International Relations in the 20th Century* (2001), leading up to his well known *Macro History of International Law* (*Hongguan guojifa shi*, 2001), all in Chinese and so far not translated. During the past ten years as a Luojia Distinguished Professor at Wuhan University, P.R. China, Yang has published prolifically on state sovereignty, international energy law, and basic legal theories, culminating with *Study*