

constitutionality is untested and statutes have not yet been subjected to review and interpretation.

The first and most extensive of the five main subdivisions of this text deals with relationships between patient and doctor. Naturally problems concerned with malpractice are stressed. The second section deals with evidence, with emphasis on expert testimony and privileged communications. Succeeding subdivisions cover medico-legal aspects of contracts and liens, and autopsies. The final section has to do with the regulation of practice and of professional conduct. This section includes interesting historical material and illuminating information on the legal status of medical cultists. The five sections are prefaced by a brief discussion of the law and legal systems. Besides a topical index there is a separate index of the main and supplementary case abstracts.

The availability of a textbook of this character should prove helpful to teachers as well as to students of Medical Jurisprudence. The book lends itself especially well to a discussion group method of instruction. It should prove a useful reference book, moreover, in courses where large numbers of students or other circumstances make the lecture method more feasible. Such might be its chief use in courses where the emphasis is on forensic medicine, with comparatively little time for instruction in legal principles. In any case, this book supplies a real need. Its unavoidable defects of scope can be remedied by referring to specified articles and abstracts in the current legal, medical, and dental journals.

Labelling this volume as a textbook should not limit its usefulness. It should prove of interest and value to practicing physicians and dentists who are interested in the legal problems peculiar to their professions. Within the limitations designated by the authors, it may prove useful to members of the legal profession, and especially to the young student of law. Fulfilling its primary purpose, the use of this text should assist the future physician or dentist to gain insight rather than verbal comprehension in the important fields of activity where law and medicine meet.

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*A Study of War.* 2 vols. By Quincy Wright. Chicago: University of Chicago Press, 1942. Pp. xxiii, 678; xvii, 874. \$15.00.

Two thick volumes embody Professor Wright's interpretation of the results of the searching examination into the causes, functions, techniques and possible controls of war, which he and his many associates in the University of Chicago have carried on for sixteen years. No one who scans the text, with its scouting detachments of statistical tables and graphs and its flank and rear guards of notes, can fail to acknowledge the scholarship and the technical competence of the writer and his colleagues. Their work, gathered together here, clearly represents the most massive and sustained intellectual attack yet directed against this plague and mystery of the human race.

The scope of the study is infinitely broader than the title would indicate. This is in reality a treatise on international politics and law, in which war often recedes so far into the background as to be almost forgotten. It is a treatise which, for those who will have the time and the patience to read it faithfully, will open horizons hitherto rarely

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glimpsed and reveal depths of causation only vaguely suspected. No approach to the complex problems of a struggling world order has been neglected. They are all shown here converging from their military, political, economic, sociological and psychological starting-points towards a body of common conclusions.

Strangely enough, in view of the title, the military approach is the one which shows the least complete adaptation to the circumstances of our immediate present. I do not find anywhere in these two volumes an examination of the political and geographical distribution of power and of the bearing of this distribution, in the light of the new technical conditions of warfare, on the central problem of security.

The space given to animal warfare seems to me unjustified, except possibly for a reason directly contrary to that insisted upon by the author, namely, the revelation that the battles of ants and termites offer no help in solving the human problem of peace and may therefore be left in future to the entomologists. The investigation of primitive warfare, on the other hand, yielded evidence of the positive function of war in consolidating early societies and thus furnished a starting-point for the enquiry whether and why it has ceased to serve this purpose in our day. From this remote beginning the comparison of the twenty-odd successive civilizations up to our present world community leads to the conclusion that:

Civilized states tended to fight for economic and political ends in the early stages of the civilization, with the effect of expanding and integrating the civilization. As the size and interdependence of political units increased, political and economic ends became less tangible, and cultural patterns and ideal objectives assumed greater importance. Aggressive war tended to become a less suitable instrument for conserving these elements of the civilization. Consequently, defensive strategies and peaceful sentiments developed, but in none of the historic civilizations were they universally accepted. War tended toward a destructive stalemate, disintegrating the civilization and rendering it vulnerable to the attack of external barbarians of younger civilizations which had acquired advanced military arts from the older civilization but not its cultural and intellectual inhibitions.

In the modern period the war pattern has been an important element in the creation, integration, expansion, and survival of states. World-civilization has, however, distributed a singularly destructive war technique to all nations, with the consequence that the utility of war as an instrument of integration and expansion has declined.<sup>1</sup>

Further conclusions of general importance are that the balance of power system can no longer serve, even to the limited extent that it served in the nineteenth century, as a barrier against war and a protection of small states; that the system tends to perpetuate authoritarian government, and that democracy requires the protection of international organization; that constitutionalism is more favorable to peace than is absolutism; that there is little chance of limiting war by rules of war and neutrality; that the maintenance of peace will require international organization "to frustrate aggression and to convert the balance of power from a military to a political equilibrium."<sup>2</sup>

So, after an arduous voyage in which all possible techniques of navigation have been tested, the author finds himself in the harbor which scores of others have reached sailing by rule-of-thumb. This is not a condemnation of the more complex and laborious method; on the contrary, the more intuitive prophets should welcome the scientific confirmation which Professor Wright provides.

<sup>1</sup> II, 1288.

<sup>2</sup> II, 772-82, 810, 836, 1322.

Scattered here and there in the mass of data and discussion, the international lawyer will find excellent contributions to his special discipline. I commend a strangely named chapter, "The Theory of Modern War,"<sup>3</sup> as a useful review of the whole development of international law; and the chapters on "Law and Violence," "Sovereignty and War," and "International Procedures and War."<sup>4</sup> At the same time, I question the account of the part played by natural law, especially the statement that at one period international law was regarded as "but natural law based on the agreement and convenience of sovereign princes."<sup>5</sup> Among the myriad doctrines of the law of nations, one is familiar with many that describe it as natural law *qualified* by the agreement and convenience of princes; but surely natural law *based on* that agreement and practice is a conception that would have shocked even the more worldly naturalists. Again, I do not find the author consistent in his views on dualism versus monism. At one moment he praises national sovereignty because it preserves the dualism of international and municipal law, thus facilitating "national legislative experimentation, international competition, and progressive civilization"; at another he describes "sovereignty under law" in terms of the purest monism.<sup>6</sup> In one passage I find him by no means free of confusion between nation and state,<sup>7</sup> while in another he asserts categorically a higher controversial dichotomy between society and law.<sup>8</sup>

*A Study of War* is about twice as long as it need have been. It is less a book than a collection of important materials for a book. More co-ordinating thought and less bibliography would have given it an impact which the text as it stands cannot have. This is a pity, for the work contains much that is original and valuable, and its bulky repetitions and confused arrangement will repel many a reader.

Only very great thought would console us for frequent grammatical lapses and for the haphazard spelling, case, gender, and number of words in quotations from foreign languages. Greater discrimination might have been expected, too, in the selection of materials. Everything is grist to Professor Wright's mill, and at times it seems that truth is to be established by the mere counting of heads. Perhaps the high point in this uncritical enlistment of support comes on page 1109, where, to buttress the statement that war anywhere heightens the belligerency of a people, we find this quotation from a well known professor of English: "Very few persons can see a dance without wishing to participate. The whirlwind figures develop a centrifugal pace that pulls the spectators." For a *centrifugal* force to *pull* one object towards another surely exceeds the confusion even of world politics.

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<sup>3</sup> I, 329-56.

<sup>5</sup> I, 335-36.

<sup>7</sup> II, 995-98.

<sup>4</sup> II, 863-952.

<sup>6</sup> II, 906-8, 920.

<sup>8</sup> II, 1022.

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