In the contemporary state of political affairs characterised by civil unrest, alienation of men from their political institutions, and the struggle between incompatible political ideas and interests, Hobbes' political and legal thought has become topical and arresting as an antidote for fashionable ideas of anarchistic leaning. The sober, learned, and penetrating treatment of this thought in the present book is thus well timed and deserves attention by those jurisprudents who are dealing with problems of justice in the contemporary setting. The book helps us to appreciate that Hobbes' grim view of human reality and his characteristic concern with ethically negative aspects of human life did not spring from a cynical twist of mind but rather from a worried soul preoccupied with the atrocities which man proves capable of when enacted law dysfunctions and loses its authority.

ILMAR TAMMELO*

Querelle de la Science Normative, by Georges Kalinowski. Librarie Générale de Droit et de Jurisprudence, R. Pichon et R. Durand-Auzias, Paris, 1969, pp. 160 + iii.

Although directed to the problem of the nature of normative disciplines in general, this book, written by an eminent French legal and moral philosopher, is also of considerable jurisprudential interest. It is particularly concerned with the problem of the nature of legal disciplines; much of it is devoted to the examination of the relevant theories propounded by jurisprudents including Hans Kelsen, Leon Petrazhitski, and Carlos Cossio. In the course of his exposition, the author displays impressive classical learning and wide awareness of the pertinent contemporary literature. His selection of authors representing different points of view in the dispute about normative science is most fortunate, because through their standpoints the most significant aspects of the controversy are brought to sharp focus. The author, who is a pioneer in the field of legal logic, argues with neatness and cogency, as may be expected from a mind versed in the principles and methods of stringent reasoning.

For lawyers, the dispute about normative science appears as one about the scientific status of legal studies and the products of the lawyer's work. Accordingly, it may be asked: Is the study of law the study of a science? Are the conclusions at which a lawyer arrives in solving a legal problem scientific conclusions? In the Anglo-Saxon world of law, these questions seem to be somewhat idle. For we are wont to call what our law students study "law" and not "legal science" (as it is called on the Continent), and we are concerned with the *rationality* of the products of the lawyer's work rather than with their *scientific character*. However, we are acquiring a concept of science accommodating not only natural sciences but also social sciences and humanities at large; thus we may concede that one way of putting the problem of the rationality of legal studies and the lawyer's work is asking whether it is a scientific activity.

The author distinguishes three principal concepts of normative science: (1) a science which consists in norms or which supplies norm, (2) a science which studies norms, (3) a science which provides a foundation of norms. The first conception is the oldest; it belongs to a philosophic tradition dating back to classical antiquity and has among its recent illustrious exponents

* Reader in International Law & Jurisprudence, University of Sydney.

Edmund Husserl, the founder of phenomenological philosophy. The sec conception, espoused, for example, by Hans Kelsen, is the most popular among jurists and moralists. The third conception, represented, for exam by Emil Durkheim, a French classic in sociology, is characteristic of empi scientists and has among its noted exponents the biologist Pierre Teilhard Chardin.

After a detailed analysis of the above three conceptions, the author f that they are not incompatible with each other. They are each tenable f the viewpoints of language and of the theory of science. Hence the dis about the nature of normative science may seem to be pointless. However, dispute is nevertheless significant because of various important issues invo These include the following: Is it possible to know by means of norms, if so, how? Is it possible to obtain normative knowledge? Is it possibl provide a rational foundation to norms? Is the distinction between facts norms justified? If these questions relate to the real gist of the dispute a normative science, there is no way to appease the dispute. Rather we sh accept it as an instance of the perennial restlessness and inconclusiv of philosophic thought.

I subscribe to the author's main conclusions and agree with his argu on special matters (having, of course, occasional preferences for prese them in a somewhat different way). I would like to raise here only a s point, which is particularly important for understanding the nature special status of jurisprudence. If we accept Kalinowski's view of the plementarity of the above three (possibly more) conceptions of norm science, does this mean only that at least three normative sciences are s possible? Or does this mean that it is also possible to have a unitary co legal science which incorporates all the above conceptions?

Kelsen would answer the second question in the negative by invokin principle of "methodological syncretism" and condemning what may from its violation. Without proposing to go here into detailed justifi of my view, I submit that it is feasible to answer this question i affirmative. I believe that it is possible to take a "synoptic" view products of various rational approaches to the object of a study an it is possible to conceive a method which organises different methods i impeccable unity of intellectual procedure. This integrative approach m be required with respect to particular disciplines of legal thought; ho it is necessary for a fundamental or embracing discipline of legal th which in the Anglo-Saxon legal civilization is called "jurisprudence".

ILMAR TAMM

U.N. Protection of Civil and Political Rights, by J. Carey, Volume 8 cedural Aspects of International Law Series, Syracuse University Press, xii + 205 pp. (U.S. $7.50).

John Carey's book is an important and distinctive contribution literature on human rights. Monographic and periodical literature subject has not kept pace with the massive proliferation of instrume institutions on human rights, and studies focusing on their spe implemention are indeed regrettably meagre. The book under review this slender material on the subject.

Carey's study attempts an evaluation of the United Nations' a

* Reader in International Law and Jurisprudence, University of Sydney.