

BRIEFER NOTICES

The Unwanted: European Refugees in the Twentieth Century. By Michael R. Marrus. (New York and Oxford: Oxford University Press, 1985. Pp. xii, 414. Index. \$24.95.) The author is a professor of history at the University of Toronto. In contrast to other works, his deals not only with transfrontier movements but also with movements within countries. According to the author, the term "refugee" was not used until the middle of the 19th century. Apart from the Huguenots, there were only individual exiles, revolutionaries or political dissidents. The first mass movement was the emigration of Jews from Russia in the second half of the 19th century. It was, in the author's view, an intermediate case between voluntary emigration and a refugee movement. By 1926 there were an estimated 9.5 million European refugees. The treaties concluded after the First World War created stateless persons and provided for exchanges of populations. In the aftermath of the Second World War, there were 30.6 million displaced persons and 12 million German refugees. Rightly, Elfan Rees has called our century "the century of the homeless man."

This is the most comprehensive description of the European refugee problem known to this reviewer. The book is well written and rich in references. It constitutes a most useful contribution to the literature on the refugee problem.

P. WEIS
Geneva

Reine Rechtslehre. Einleitung in die rechtswissenschaftliche Problematik. (Reprint of the 1st ed. 1934.) By Hans Kelsen. (Aalen: Scientia Verlag, 1985. Pp. xxi, 236. Index. DM 69.) In 1934, 1 year after the National Socialists forced him to leave the University of Cologne, Hans Kelsen published his book "Pure Theory of Law" (*Reine Rechtslehre*), summing up his previous efforts to found a theory of law "purified of all political ideology and all natural scientific elements" (1934 foreword) and including private and public, national and international, law. This book by the famous professor of public law and legal philosophy has now been reprinted (with the "Bibliography of the Pure Theory of Law" by Rudolf A. Metall on pp. 155-222 and a new foreword by Stanley L. Paulson).

Kelsen's legal positivist view aroused immense attention throughout Europe. "There are few philosophers of law in our time whose theories have exercised an influence upon legal philosophy and legal theory comparable with the impact of Kelsen's legal thinking upon the modern theory of law," the Amsterdam Professor van Eikema Hommes stated on the occasion of Kelsen's 100th birthday in 1981.

Although Kelsen issued a completely revised and considerably enlarged second edition of his "Pure Theory of Law"—showing the development of his doctrine—in 1960, the first version maintained its importance as the formulation of the "especially characteristic results" or the "summary" of the "Pure Theory of Law," as Kelsen himself put it in 1960 and 1965, respectively. Because of its concise form this republication of the first edition is a convenient introduction to the work of Hans Kelsen in its original language.

BARDO FASSBENDER
Institute of Legal History of the University of Bonn