

Unpad Journal of International Law

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BOOK REVIEW:

Stéphane Beaulac,

The Power of Language in the Making of International Law,

The Netherlands: Martinus Nijhoff Publisher 2004, 200 pages.

This book generally is about role of language and how it establishes and develops international law. The writer used linguistic approach to describe philosophy and its intellectual context which is the unique side of the book. When usually other writers explain the making of international law from political or philosophical approach, the writer explains it from linguistic approach when we do not fully realize that language plays an important role and has a powerful effect in the making of international law.

This book specially explains the term of 'sovereignty' as one of powerful words which has strong existence in the making of international law. James Crawford wrote 'the term of sovereignty has a long and troubled history and variety of meanings.' Furthermore it has ascertainable meanings and it keeps transforming.

The word 'sovereignty' has its own history which contains a history of social effects of its changing meaning. The writer also describes about several concepts of sovereignty based on some experts such as Jean Bodin and Vattel. Bodin used 'sovereignty' for particular purpose, namely, to place the ruler at the apex of a pyramid of authority and Vattel utilized and change the word 'sovereignty' for a particular purpose, namely, to attempt the externalization of the 'highest unified power' by providing for the *exclusivity of authority* without as well as within.

This book also explains about the phenomena of myth of Westphalia as one of the beginning sign of international relations. It includes the issues, the nature and function of words as well as the question of myth and mythology explained by deconstruction and hermeneutics methods.

Peace of Westphalia in 1648, which ended the Thirty Years War in Europe, represented a new diplomatic arrangement, an order created by states, for states, and replaced most of legal vestiges of hierarchy, at the pinnacle of which were the Pope and the Holy Roman Emperor. Mark Janis wrote "The Peace of Westphalia legitimated the right of sovereigns to govern their people free of outside interference, whether any such external claim to interfere was based on political, legal or religious principles."

One chapter in this book deeply discusses about words and language also how they build meanings and become semantically ascertained and theoretically circumscribed. At the centre, it explains whether or not language can describe itself, can explain itself, and can in effect transcend itself. It also tells how language

transformed and created from time to time, and also how words becomes a representative signs in society and has a social power.

The next chapter this book gives details about the logic of mythology. The term mythology (from *mūthologiā*) combined from the Greek 'muthos'(speech) and 'logos'(story). As a result, the term 'myth' is something connected to metaphor, falsehood, and distortion, with the scholarly and technical sense which considers myths as valid and true within the shared consciousness of a society. In the summary, a myth triggers reality to become larger than life. A very large-scale myth like the aetiological myth of Westphalia is liable to have a very large scale social effect, as the incontestably true legal basis of the present international state system.

In the second part of the book, the writer explains several approaches to explain where 'sovereignty' and 'Westphalia' come from. Those approaches deconstruct and analyze the words and its complex structure and how it influences the world of mind. Those approaches are 'Deconstructing Deconstruction', and 'The Hermeneutics of Hermeneutics'. 'Deconstructing Deconstruction' is originally developed in reaction to applications of structural linguistic theories to philosophy, literary criticism, social and cultural studies and psychoanalysis. This is a synonym for rebutting or destroying an argument or doctrine that is, showing that it is self-contradictory, ideologically biased or indeterminate.

Hermeneutics comes from *hermēneutikē* and derives from Hermes, the Greek god, the wing-footed messenger of the city of Olympia. Etymologically, it conveys the idea of interpretation as an assertion, explanation, and translation of recorded expressions. The writer also explains why, in modern times, the term 'hermeneutics' is open to several interpretations.

Overall, this book will be very interesting to read, especially for those who are interested in word-ideas as primary social forces and not merely as surface phenomena. One of the most exciting aspects of this book is that it is well-written and demonstrates that such has been the permanent condition and perennial challenge, not only for the holders of public power who seek to use categories as instruments to serve their own purposes of social power, but also for those whose task in the social division of labour to think about ideas and whose thinking, however theoretical and seemingly detached, is liable itself to become an active social force.

(Atip Latipulhayat and Citta Prasadha)
