In this revision and translation of the author’s post-doctoral monograph, Emiliano J. Buis argues that classical Greece (500–323 BC) possessed a system of international law. To make this case, he takes aim at two misconceptions about ancient Greek attitudes towards war: the first is that the Greeks required little justification to go to war and then conducted it with uninhibited brutality; the second is that international law, to deserve the label “law”, must be systematic and include mechanisms, whether effective or not, for enforcement. On the first issue, he succeeds in showing that the Greeks – in particular the Athenians, for whom our evidence is best – felt a need to justify their wars and that the conduct of war too was subject to various limitations and norms, whose transgression invited condemnation. This is not a new argument, but the potent and widespread influence of Thucydides’ depiction of an amoral and brutal interstate world makes Buis’s monograph worthwhile. On the second issue, Buis argues that these norms should be considered legal ones: some applied to the recourse to war, parallel to *ius ad bellum* in Just War Theory, and others to the conduct of war, parallel to *ius in bello*, and together they constituted a system of international law.

Buis introduces his work with the argument that Greek ambivalence about war is reflected in their myths, gods, and goddesses. It quickly becomes apparent that mythology is not his main topic, but rather a different ambivalent situation: Greek culture accepted the necessity of war but sought to limit it. The norms and, he argues, laws that resulted are the focus of the rest of the book.

The first chapter sets in place Buis’s methodological foundations. Most important, he argues for a broad definition of international law. He rejects scholars who point out that international law lacks critical features characteristic of law within the state and thus deny that it is really a system of law (pp. 23–31). Rather he states that „international law is law in the proper sense of the word (even if different in its nature from domestic legal systems) insofar as its rules create obligations and rights that are accepted by its subjects for the sake of their coexistence“ (p. 25). Buis argues that „it is not appropriate to assume a separation in practice between law and other dimensions of normativity“ (p. 25), but in some circumstances this distinction can be useful. For example, among the host of normative arguments found in fourth-century assembly speeches, it makes sense to isolate a subset that are distinctly more legalistic, e.g. when they argue for or against going to war with reference to specific clauses in sworn treaties.

In his next chapter, on „International Subjectivity“, Buis first investigates the extent to which Greek cities treated each other as equals, as modern ideals of international law require. The situation was mixed, since states had manifestly different sizes and power and this was sometimes reflected in their treaties, but the Greeks also possessed an ideal of equality between states (pp. 76–84). The author next emphasizes the well-known tendency of Greek authors, both of history and of treaties, to talk concretely about „the Athenians“ and „the Corinthians“ rather about Athens and Corinth. He says that this rule is violated only in exceptional cases and for specific reasons (pp. 94–5, footnote 141) and thus that „international law may exist even before the theorizing of its ‘subjects’“(p. 104). This moves him to historicize and to question the modern tendency to think of states as the essential subjects of international law. He prefers the Greek practice of thinking about groups of actual people; this way of thinking was „undoubtedly more suitable for representing the passions of international praxis than the cold and calculated staging of empty legal entelechies devoid of intensity and actual commitment to the community’s social values “ (p. 106).

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2 For example, my own work: Peter Hunt, War, Peace, and Alliance in Demosthenes’ Athens, Cambridge 2010, pp. 215-236.

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The next chapter looks at the outbreak of war and its limits in ancient Greece, the modern notion of *ius ad bellum*. Buis adduces Aristophanes’ “peace plays” as proof of a “context of intellectual hatred and denunciation of the constant reality of war” – a somewhat one-sided view of the situation in my opinion – and views ancient justifications of war as a response to this atmosphere (p. 111). He cites a wide variety of sources – from Homer to Herodotus, from Aristophanes to Thucydides to Aristotle and the *Rhetorica Ad Alexandrum* – to show that justifying the recourse to war was frequent and often involved the invocation of universal or Panhellenic laws. Although this argument is not as original or iconoclastic as he claims (p. 117), his treatment is convincing.

The author next considers ancient parallels to *ius in bello*, limits on the conduct of war. Some such ancient rules are well known and uncontroversial: wartime respect for truces, heralds, and temples as well as the custom of allowing defeated enemies to collect the bodies of their fallen comrades. Greeks refer to these customs as based on common, Hellenic, or universal law, often with a religious basis. And Buis is well aware that none of these laws were uniformly enforced (p. 145). The extent to which hoplite battles were ritual contests, limited in terms of place, time, and participants, has become more controversial in the last couple of decades (pp. 141–145). This renders Buis’ claim that this way of fighting had the aim of ensuring that non-combatants were not harmed (p. 155) – the “principle of distinction” – even more difficult to accept. The treatment of prisoners is another complex issue. Although prisoners of war might be executed and captured women and children were enslaved, this was not the standard practice and is often mentioned precisely because it was considered harsh, as Buis rightly emphasizes. But he is sometimes too eager to see limits on the conduct of war: he states that “women and children constituted a group of people requiring a certain level of protection in situations of armed conflict” (p. 170), but his evidence consists of cases where a Greek city took steps for the protection of its own women and children, evidence of a natural concern but not of a *ius-in-bello* requirement.

His conclusion returns to the ambivalence towards war in ancient Greece and his connection between anti-war sentiment and the construction of norms and laws to limit war: “Had the people who fathered philosophy […] disregarded the excesses of war or failed to prepare an anti-war discourse based on a rule of law that translate moral values, it would have probably seemed puzzling” (p. 231). The book’s greatest strength is Buis’s engagement both with the ancient evidence and with recent thinking in the field of International Law, a combination often allows for unexpected and stimulating insights. This monograph will be valuable both for students of international law seeking an introduction to Greek thinking and practices, and for classical Greek historians interested in the perspectives of the discipline of International Law.\(^3\)

\(^3\)The acknowledgements thank Maria Marta Montesanto and Chistopher Welser for their translations of “several” chapters (p. xiv). The better and more common practice today is to name the translator or translators on the title page of a book.