

DIE DURCHFÜHRUNG DER DEUTSCH-TSCHECHOSLOWAKISCHEN GRENZREGELUNG VON 1938 IN VÖLKERRECHTLICHER UND STAATSRECHTLICHER SICHT. By *Hartmut Singbartl*. Veröffentlichung des Sudetendeutschen Archivs in München. Munich: Fides-Verlagsgesellschaft, 1971. 170 pp. DM 12.80, paper.

This book is a revised doctoral dissertation, submitted to the Faculty of Law of the University of Regensburg, which according to its title and also to the foreword by Professor Otto Kimminich of that university deals with the legal aspects of establishing the new frontier created by the Munich Agreement, as well as measures that were taken to normalize relations. The book has two major parts: the study itself, and a list of treaties concluded between Germany and Czechoslovakia and between Czechoslovakia and other powers affected by the Munich settlement. The study consists of three chapters. The first analyzes the international legal foundations of the cession of the Sudetenland, including the agreement between Britain, France, Italy, and Germany of September 29, 1938 (Munich Agreement), the legal formalities, and the territorial settlement between Germany and Czechoslovakia. Chapter 2 deals with the execution of the treaty of cession, including the responsibilities of the international delimitation commission, normalization of Czechoslovak-German relations, the German refusal to accept the duty to guarantee the new frontier, and other specific problems. Chapter 3 describes aspects of municipal law in the two countries following the transfer of the Sudetenland to Germany.

The scope of the study far exceeds the comparatively narrow theme suggested by the title. Indeed it goes to the core of the entire Sudetenland problem, the political motivations behind the actions of the chief protagonists in the international arena, including the argument that the Munich Agreement is still a legal (and political) reality. This argument revolves around the question of the German promise to guarantee the territorial integrity of Czechoslovakia, which was not given in violation of obligations assumed toward other great powers, and the implied promise not to destroy the Czechoslovak republic.

Although one may admire the skill of the juristic presentation, the work in its entirety is somewhat hollow, since the political situation is far simpler than the author suggests. As Professor Kimminich states, the Federal Republic would readily erase the Munich episode from the history of German-Czechoslovak relations. At present, none of the problems connected with the transfer of the Sudetenland to Germany still exist. Czechoslovakia returned to its former frontiers with the approval of the four major powers who were the victors of the war. Sudeten Germans were expelled and integrated into the economy and social life of the Federal Republic. In reality the problem was kept alive only by the demand of the Soviet bloc that the Munich Agreement be declared null as a precondition to the normalization of relations between the two countries. This would require little more than a solemn declaration—which would be quite legal according to international law—between these two countries that are cautiously approaching the mirage of *détente* in East-West relations.

KAZIMIERZ GRZYBOWSKI
Duke University