

und internationaler Ebene zumindest bis 1943 parallel zum Ersten Weltkrieg, bis das Patentwesen in Deutschland kriegsbedingt zusammenbrach und endgültig erst 1949 mit der Eröffnung des Deutschen Patentamtes in München seinen Betrieb wieder aufnahm.

Diese gut geschriebene, mit vielen spannenden Details ausgestattete Studie gibt einen profunden Einblick in die Bedeutung des Patentwesens für das Funktionieren einer hochgradig verflochtenen internationalen Wirtschaft. Dabei zeigt Mächel die Stabilität einer internationalen Eigentumsordnung auf, die Ende des 19. Jahrhunderts erstmals multilateral institutionalisiert wurde und sich in dem relativ kurzen Zeitraum von 1883 bis zum Ausbruch des Ersten Weltkriegs als ein so wichtiges wirtschaftspolitisches Instrument bewährte, dass sie nach 1914 verbalpolitisch und gesetzgeberisch zwar angegriffen und eingeschränkt wurde, praktisch von den Kriegsgegnern aber weitestgehend eingehalten und nach Kriegsbeginn wieder in Kraft gesetzt wurde. Damit leistet die Studie einen wichtigen Beitrag zur Frage, inwieweit der Erste Weltkrieg als eine Zäsur in der Wirtschaftsgeschichte interpretiert werden kann, die eine Phase der De-Globalisierung einleitet. Schade ist, dass Mächel diese Fragestellungen in seiner Studie nicht berücksichtigt, da er ausschließlich rechtshistorische und rechtswissenschaftliche Forschungsdiskussionen aufgreift und es versäumt, seine Ergebnisse mit Diskussionen in anderen historischen Teilgebieten zu verknüpfen. Das sollte den interessierten Leser aber nicht davon abhalten, zu diesem Buch zu greifen.

Duncan Kelly (ed.): Lineages of Empire. The Historical Roots of British Imperial Thought, London: Oxford University Press, 2009, 247 p.

Reviewed by
Ian Hall, Brisbane

This book is the product of a British Academy symposium held in 2006, but it is representative of a much larger body of recent work on British imperial thought from its origins in the sixteenth century to its nadir in the mid-twentieth century. In part, this scholarly effort is a response to demand for British history to be set in wider contexts – a demand that runs back to J. R. Seeley, and reiterated by many historians since, from Herbert Butterfield to his now more famous student, J. G. A. Pocock. In part too, as Duncan Kelly notes, the surge in interest in imperial thought is a response to events in contemporary international relations. The ‘desire to trace the genealogy of our current predicament’, as Kelly puts it (p. xiii), runs through all the essays in this book.

James Tully’s opening chapter, ‘Lineages of Contemporary Imperialism’, addresses the question most directly. Seven particular lineages are identified: informal, free trade, colonial and indirect, nineteenth century civilisational [sic], cooperative mandate, US, and contemporary imperialism. These are analysed in no particular chronological order, emphasizing the areas of overlap between them, and leaving the impression that imperialism is not just common, but

ubiquitous in contemporary world politics. Reiterating this point from a different perspective, Uday Singh Mehta's essay on the making of the Indian constitution highlights the difficulties post-colonial elites faced when trying to construct a polity and reconstruct a society in the aftermath of empire.

The remaining chapters consist of more conventional pieces of intellectual history. Richard Whatmore traces the development of Western European views of small states and their future prospects in an eighteenth century world of emerging commercial empires. His concern is the 'origin of the perception of Britain as a defender of small states' – a perception not just confined to British thinkers, but shared by some Swiss and Genevan practitioners, who saw in Britain a putative saviour.

Phiroze Vasunia, for his part, examines changing readings of Virgil – the 'poet of empire' (p. 83) – in late eighteenth and nineteenth century Britain. He shows that Virgil was a touchstone for both critics and supporters of British imperialism, a point of contact between a Roman past and British future, his poem serving as confirmation of providential roles for empire. Iain Hampsher-Monk and Robert Travers' two chapters turn instead on matters Indian: the first explores Edmund Burke's understanding of empire and the second the analysis of the East India Company's economic management provided by James Steuart and Adam Smith, which Travers thinks helped structure their broader views of political economy.

The final three essays consider British anxieties about aspects of their empire. Karen O'Brien looks at Tory views of the social consequences of emigration for both

Britain and the colonies, while Douglas Lorimer deals with the various ideologies and languages of race that emerged in the late nineteenth- and early twentieth-centuries. Tories, O'Brien demonstrates, viewed colonial settlement through a romantic lens, rather than an universalist one, lingering on the recreation of rural idylls of upstanding and God-fearing yeomen. In his chapter, Lorimer argues that scientific racism was more a rationalization of existing and evolving cultural prejudices than an ideology generated *de novo*.

The last essay, by Jeanne Morefield, addresses Harold Laski's identification of the 'habits' of imperialism, those patterns of behaviour apparently encouraged by the administration of empire which Laski thought crypto-authoritarian. Morefield aims to liberate Laski from those that have argued that his thinking on empire is mostly derivative, especially of Lenin. Instead, she thinks it is better seen in terms of Laski's analysis of the nature of sovereignty, with imperialism seen as a corrupted extension of sovereign power rather than merely of capitalism.

This is a high quality collection by a group of accomplished scholars. This reader wished for a concluding chapter that teased out more fully the 'genealogy' of our 'predicament', since the arguments presented by the various authors seem to contain some intriguing contradictions. Hampsher-Monk's essay is especially interesting in this regard. He notes that the words 'empire' and 'imperialism' derive from the Roman conception of *imperium*, the rule of the highest magistrates who were answerable – at least in times of crisis – to no others. In 'any entity larger than a city, and in the absence of the unified,

functionally integrated state of modernity', he observes, 'imperium was almost always exercised over internally differentiated political communities' (p. 118). To a thinker steeped in Roman thought like Burke, therefore, 'empire' merely implied the rule of a monarch or 'presiding republic' over a collection of polities (p. 119). In itself, 'empire' was thus morally neutral – what mattered, at least to Burke, was the quality of rule, not the fact of it.

This is a very different view to Tully's. Here, empire and imperialism are simply bad in whatever form they are found and the link between these concepts and sovereignty is broken. What Tully calls 'alternate forms of political, legal, and economic associations based in self-reliance, fair trade, non-violence, deep ecology, and cooperative networks' are preferred (p. 29).

Between Burke and Tully, in other words, there has been conceptual broadening and narrowing. For Tully, empires and imperialism are anything powerful and wide-reaching; sovereignty – or at least the self-determination of political communities, which Tully favours – has been emancipated from the idea of imperium. Historiographically, these processes have been unhelpful, allowing for the separation of histories of states from histories of empires that occurred – despite Seeley's best efforts – in the late nineteenth century and persisted into the late twentieth. Better, one might argue, to see states and empires as points on one continuum, as different forms of imperia. But to do this requires some change in the moral views of historians, not least a movement away from Tully's insistence that empire is a form of political organization in a category of its own, uniquely worthy of our opprobrium.

Dieter Grimm: Souveränität. Herkunft und Zukunft eines Schlüsselbegriffs, Berlin: Berlin University Press 2009, 135 S.

Rezensiert von
Helmut Goerlich, Leipzig

Im Gegensatz zu größeren, durch akademische Qualifikationsverfahren motivierten Schriften (zuletzt vor C. Seiler, den Grimm zitiert, etwa U. Schliesky, *Souveränität und Legitimität von Herrschaftsgewalt*, 2004, liegt mit dem hier anzudehenden Band eine kleine Streitschrift zum Thema vor. Sie kompensiert ihre Kürze, die keine umfassende Gelehrsamkeit schon durch ihren Umfang ausbreitet, durch die Aura elitärer Kompetenz. Der Autor ist dazu nicht nur dank seiner mehrschichtigen Karriere, sondern auch aufgrund seiner transatlantischen Existenz berufen. Sie stützt diese Aura durch die ausgewertete Literatur; so werden zahlreiche Arbeiten aus der angelsächsischen und der frankophonen Welt einbezogen, die ein biederer Habilitand in der deutschen Provinz sich nicht so leicht wird zugänglich machen können wie ein Gelehrter in New Haven oder Cambridge, Massachusetts, und am hiesigen Wissenschaftskolleg in Berlin. Daher erstaunt es auch nicht, wenn der deutsche Horizont eher zurücktritt, obwohl die Rechtsprechung des Bundesverfassungsgerichts durchaus gespiegelt wird, das Lissabon-Urteil allerdings nicht mehr wirklich, dafür kam es am 30. Juni 2009 zu spät. Aber es wird sicher Eingang fin-