

Noteworthy New Titles

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PUBLIC INTERNATIONAL LAW

International Law in Theory and Practice. By Oscar Schachter. Dordrecht, The Netherlands and Boston: Nijhoff, 1991. Pp. viii, 431. (Hardbound).

This expansive treatment of a broad range of subjects in international law is the thirteenth volume in the Developments in International Law series of Nijhoff Publishers. The author considers several general topics in international law and focuses on specific incidents in each area. Schachter views international law as a practical body of law that nonetheless manages to preserve its substance apart from politics.

The work includes discussions of such theoretical topics as the purposes of international law, the quest for judicial objectivity, the political implications of multilateral treaties, and control of the use of force in the international arena. Professor Schachter also examines several narrower subjects such as the law of the sea, sovereignty in international business transactions, and environmental and human rights concerns. In all, the volume consists of seventeen sections, each with a separate and lengthy bibliography.

Implementation of the Law of the Sea Convention Through International Institutions. Edited by Alfred H.A. Soons. Honolulu: Law of the Sea Institute, 1990. Pp. xii, 772. (Hardbound).

This volume, the latest in a series on the Law of the Sea from the University of Hawaii, contains the proceedings of the twenty-third annual Conference of the Law of the Sea Institute. Alfred Soons, editor of the collection and Director of the Netherlands Institute for the Law of the Sea, served as chairman of the conference.

Implementation of the Law of the Sea publishes the presentations and commentary of seven panels, along with various speeches from participants. The first panel examined the role of international organizations in implementing the Law of the Sea Convention. It included an address from Christopher Pinto, Secretary General of the Iran-United States Claims Tribunal. Other panels raised issues in navigation, ocean resource management, protection of the marine environment, scientific research, and the settlement of disputes.

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INTERNATIONAL ENVIRONMENTAL LAW

Environmental Protection and International Law. Edited by Winfried Lang, Hanspeter Neuhold, and Karl Zemanek. London and Boston: Graham & Trotman/Nijhoff, 1991. Pp. x, 244. (Hardbound).

This volume, the seventh in a series entitled *Environmental Law and Policy*, is edited by law professors at the University of Vienna, one of whom serves as the Austrian ambassador to the United Nations office in Geneva. They have collected a group of articles on environmental issues that run the gamut from examinations of particular problems, such as air and water pollution and waste disposal, to more theoretical analyses of state liability and cooperative international action to address environmental problems. Each of the articles originated as a paper presented at a conference in Vienna in October 1990. Many of the articles contain lavish graphs and charts, and each article is followed by a short commentary. The authors of the articles include law professors from Switzerland, the Netherlands, Germany, and the United States, as well as government officials from Austria, Belgium, the Netherlands, and Canada.

Environmental Protection and the Law of War: A "Fifth Geneva" Convention on the Protection of the Environment in Time of Armed Conflict. Edited by Glen Plant. London and New York: Belhaven Press, 1992. Pp. xvii, 284. (Hardbound).

This collection grew out of a conference held after the Persian Gulf War on the use of environmental weapons during hostilities. The conference and this volume focus on Saddam Hussein's environmental warfare—the flooding of the Persian Gulf with oil pumped from Iraqi terminals and the explosion of Kuwaiti wellheads by retreating Iraqi troops.

Professor Glen Plant of the London School of Economics contributes an illuminating introduction explaining the four "camps" concerning wartime environmental damage. Opinion ranges from those who accept customary law as comprehensive to those pushing for codified reforms. The book concludes that a Geneva-style convention to force combatants to respect the environment is necessary to safeguard the Earth during future conflicts.

THE EUROPEAN COMMUNITY

A Modern Companion to the European Community. By Andrew Cox and Paul Furlong. Aldershot, England: Edward Elgar, 1992. Pp. 327. (Hardbound).

This book is intended as a practical guide to the institutions and terminology of the European Community (EC). It provides an introduction to the various institutions of the Community, a guide to the political and economic structure of each of the member states, a list of addresses and information sources, and a glossary of key terms and acronyms.

In the first chapter, the authors outline the basic history of the establishment and development of the European Economic Community, the European Coal and Steel Community, and Euratom. This is followed by a description of the operations in the 1990s of the main EC institutions: the Commission of the European Community, the Council of Ministers, the European Parliament, and the European Court of Justice.

The second part of the book comprises country studies of the twelve member states. Each profile lists key political and economic indicators such as population, chief cities, imports, and exports. Following that is a brief description of each state's political and economic structures and the challenges the 1990s will pose.

A third section lists central addresses of the various EC institutions, as well as information sources such as the European Information Centers, European Library locations, and Document Centers.

The authors conclude their work with a glossary that is helpful for those interested in but not yet entirely familiar with the many acronyms and essential terms of the European Community.

European Sex Equality Law. By Evelyn Ellis. Oxford: Clarendon Press, 1991. Pp. xv, 239. (Hardbound).

In *European Sex Equality Law*, Evelyn Ellis assesses the foundations and alterations of European Community law related to equal pay and equal treatment of men and women. Beginning with a close analysis of Article 119 of the Treaty of Rome, which mandates equal pay for equal work, the author branches out into the effect of European Council resolutions on equal treatment. The author then reviews the laws on social security that have grown up out of the equality provision and various European Council directives.

This volume provides a thorough introduction to the law of sex discrimination in the numerous law-making bodies of the European Community: the Council of Europe, the EC courts, and the legislatures and courts of

member states. Ms. Ellis concludes with prediction that the European Community will develop toward broader equality enforcement policies that ignore the economic effects of such policies on member states' economies.

COVERT ACTION

Regulating Covert Action—Practices, Contexts, and Policies of Covert Coercion Abroad in International and American Law. By W. Michael Reisman and James E. Baker. New Haven and London: Yale University Press, 1992. Pp. vi, 250. (Hardbound).

Regulating Covert Action analyzes the trends in international reactions to covert operations and forecasts the directions covert operations might take. Chapters One and Two present some of the structural properties of the international legal system and discuss how the world judges the legality or illegality of unilateral covert action within this structure. The authors profess that judging covert action by a single principle is unrealistic and ineffective, and they argue instead that lawfulness must be determined through a contextual analysis. A third chapter expands this idea to discuss international responses to the four basic strategic methods of covert action: diplomatic, ideological, economic, and—the most controversial—military. Using case studies of past events, the authors effectively demonstrate that the reaction of the international community depends on the context of the action.

The fourth chapter examines the attempts of the United Nations to change the way states react to covert military operations by creating a higher threshold to trigger the right to self-defense under Article 51 of the U.N. Charter. However, in the fifth chapter, the authors then discuss the United Nations' and the International Law Commission's creation and expansion of the concept of "countermeasures" to covert operations as an alternative to the idea of self-defense. Chapter Six shifts to the question of how constitutional issues and Congressional oversight have affected the covert actions taken by the United States, and it suggests the effect these factors will have in the future.

The authors conclude with a chapter discussing the possible future direction of covert actions. They suggest that such actions will continue to be necessary despite the end of the Cold War, since external threats in the form of terrorism, organized crime, narcotics trafficking, and transnational white collar crime will continue to arise. Balancing the continued need for covert operations with the ideal of openness in a democracy, the authors suggest some executive guidelines for planning and implementing future covert actions.

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Throughout the book, the authors attest to the inherent difficulties involved in studying covert operations. However, they ease the burden somewhat for future researchers by providing an extensive list of suggested readings.

