

Brownlie, Ian (ed.), *Basic Documents in International Law* (4th ed.), New York: Oxford University Press (1995) xi + 468 pages + Index. \$75, hardback; \$24.95, paper.

A well-known classic to which have been added, notably, the 11th Protocol of the ECHR and, at last, the Draft Articles of the ILC on State Responsibility (from the 1980 ILC Yearbook!)

JHHW

Laursen, Finn, and Sophie Vanhoonacker (eds), *The Ratification of the Maastricht Treaty*, Dordrecht, Boston, London: Martinus Nijhoff Publishers (1994) xii + 543 pages. Dfl. 245; \$152; LSG100.

The title accurately describes the content. At the centre of this volume are essays describing the ratification process in the various Member States. The quality and the emphases are uneven. In some the emphasis is more on the legal process in others on politics. All pay more or less attention to public opinion, surely the most interesting aspect of the Maastricht saga. Though none is truly long or exhaustive, some reports, like the French (by Keraudren and Dubois) and the Danish (by Laursen) are masterpieces of synthesis of complex legal and sociological data. Others are more impressionistic and bland. The annexes constitute a useful compilation of official documents, at Union and Member State level, tracing the ratification process. There is a short introductory essay on the ratification of Maastricht with a useful chronology and a superfluous essay on the content of Maastricht. It was thoughtful to include a selection of graphs from Eurobarometer but, without the data on which they are based, they are good for impressions but less so for analysis. There is an extensive bibliography. Finn Laursen's concluding essay – more than a mere synthesis less than a veritable study – on process and legitimacy is the most interesting in the volume.

The usual complaint about price: how, say, can the Aldershot publishing Company put out a six hundred page edited volume on Critical Legal Studies at about \$40 and Nijhoff has to charge over \$150 for this similar sized book is beyond my comprehension. We would gladly open our pages to any publisher who would like to explain their pricing policy.

JHHW

Craig, Paul & de Búrca, Gráinne, *EC Law – Text, Cases & Materials*, Oxford: Clarendon Press (1995) cxxvi + 1160 pages + Index.

This is the true heir to Stein, Hay and Waelbroeck – the celebrated American casebook long in print when there was no English-speaking Member State in the Community. It is also a sign of the changing climate of legal education in Britain. It is both a law book and a book about the law: a student studying from the Craig and de Búrca book will emerge with a fine grasp of the positive law and much more: the book is sensitive to history, to economics (not enough), to political process and politics, to the social and physical environment. This is not 'Law and...' it is Law, pure and simple on the understanding that Law is an academic discipline in which history, politics, economics and all the rest form an integral part of the discourse. The distinction thus is not between pure law books and 'Law and ...' books, but between pure law books and 'Law without ...' books. 'Law without ...' is the conceit that there is a meaningful legal discourse which would focus exclusively and self-referentially on formal legal texts. Compare this volume with the yellow tomes coming out of the Europa Institutes in The Netherlands and the Atlantic seems narrower than the North Sea. Two additional features are appealing in this Case and Materials book: frequently, the excerpts are relatively long, giving students and teachers more to chew on than the supposed 'ratio' of a case.

Craig and de Búrca surely understand the purpose of a casebook as a tool of education-through-discussion-and- analysis and not as an ersatz (and inefficient) text book, though they cannot quite commit themselves to that approach in full. If I had my way, I would make a lot more excerpts even longer, drop material whose sole purpose is to cover a discrete point of positive law and rely on an accompanying textbook to take care of 'covering'. 'We Teach Students How to Teach Themselves' should be the motto above every casebook. Everything follows from that. Maybe as the book acquires adherents, as it should and no doubt will, it will be easier to become even bolder in future editions. Second, the notes of the editors are very fine and on occasion real gems – thinking aloud with the students. I often had the impression that the authors were really thinking aloud without being sure about the answer themselves. That is an infectious posture which makes for rich classroom discussion. Weaknesses? It is silly to expect any Community Law book to cover all topics today. But it was a real blunder to come out in the first edition without a comprehensive section on external relations and the Common Commercial Policy – as if constructing an intellectual fortress Europe. If the book is to be adopted widely outside Europe that would have to be remedied fast – maybe before a full new edition comes out. Likewise, a greater sensitivity to the economics of the Single Market, would have surely prevented the strange omission of a serious treatment of public procurement – the last bastion of unadulterated, unashamed, pure and simple State protectionism. All in all, a very considerable achievement.

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