

rights with the rights and freedoms of third states may however be asserted. This more flexible approach would seem preferable in that it is based on a determination of the method through which the rule of the case, taking into account the exigencies at stake, may be found.

A second remark addresses the limitation of the right of use of force to implement laws and regulations of the coastal state. The author seems to rely on the rule applied in the well-known case *I'm Alone*, in which the right to use necessary and reasonable force was admitted, on the condition that no other means were available to stop and divert the pursued ship. However, in accordance with the most recent international practice, the 'other-means-test' is adjusted in order to adopt the more comprehensive 'proportionality test', requiring that the need to assure compliance with laws and regulations of the coastal state be weighed against other values at stake, such as the security of the pursued ship and individuals on board.

A third issue concerns the legality of forcible intervention by a state other than the flag state to rescue a ship seized by terrorists in high sea. The author seems to assert a right to intervene by a state whose citizens are endangered in cases in which the flag state is unwilling or unable to intervene; the legal ground for intervention is found in the existence of a state of necessity and in the right to take forcible countermeasures. As is well known, the entire matter of the use of force is among the most controversial in international law. We must just note that the opposite view, according to which international law does not condone use of force except in the case of self-defence, seems to be recommended even from a practical point of view. In fact, the right of the flag state to exert its exclusive authority on ships flying its flag includes the right to determine freely the course of action needed to confront terrorist attacks, possibly by actions falling short of force.

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Baker, Randall (ed.). *Environmental Law and Policy in the European Union and the United States*. Westport, CT, London: Praeger Publishers, 1997. Pp. 280. \$65.

Randall Baker's edited volume adds to the rapidly growing field of comparative environmental law and policy. Resulting from a joint Dutch-American law school summer programme in 1994 and 1995, the volume compares the broad character of environmental law and policy in the United States and the European Union, with some case studies of specific environmental issues. The introduction provides a convincing rationale for a comparative perspective. This volume is, however, not a well-structured comparative study. The chapters explore either the European Union or the United States, without comparing the two 'federal' systems within a chapter. Such an approach would be more effective in revealing the similarities and differences between the United States and Europe. There is no concluding chapter to draw the book together as a whole. In this way, the volume does not provide a strongly integrated comparative perspective.

The volume takes a broad view of environmental law and policy, with much good discussion of Dutch and European approaches. In particular, Katte provides an excellent, historically grounded introduction to environmental law-making and trends in the European Union. Weiland and Caldwell give an equally strong overview of environmental law and policy in the United States. The volume emphasizes traditional subject matter: air, water and waste regulation. As such, it does not cover many of the important recent developments in both the United States and the European Union, such as integrated pollution control, industrial ecology or contaminated land clean-ups. Hanf's chapter on European air pollution policy is illuminating and theoretically rigorous. By contrast, many of the other specific case study chapters are of uneven quality, and often simply provide descriptive accounts.

In addition, there are chapters on the

adoption of international law into Dutch and US domestic jurisdictions and the standing of people to bring environmental proceedings in the European Court of Justice. In the latter piece, Hay is heavily technical, but highlights the way in which policy-making accountability has been limited in the European Union because of its institutional framework. Ultimately, the volume hints at the important insight that institutional and policy culture conditions differ between the European Union and the United States, but does not develop this theme significantly.

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Alastair Iles

Anderson, Michael Skou and Duncan Liefnerink (eds). *European Environmental Policy: The Pioneers*. Manchester, New York: Manchester University Press, 1997. Pp. xi, 330. Index. \$69.95.

Andersen and Liefnerink's edited volume takes a different approach to comparative environmental policy studies. It looks at how domestic environmental policies and activities in six specific countries (Sweden, Austria, Finland, Germany, The Netherlands, Denmark and Norway) have affected environmental politics at the European Union level. Following Robert Putnam's theory, environmental policy-making in the EU is viewed as a reciprocal two-level game in which activities, actors and politics in domestic and EU arenas affect each other. Governments at times need to build domestic political support to enable a regional agreement to be reached, and at other times they need to use regional policy-making as a way to put pressure on domestic constituencies.

Most analyses of EU policy-making tend to downplay domestic politics, and the volume provides glimpses of how to connect European and national politics, though it does not quite realize its promise. The introduction usefully outlines the key variables involved in EU and national policy-making, and explores the strategies followed by the specific countries studied in the EU in terms of pushers, forerunners and followers.

Individual chapters cover each of the seven countries in the study. These countries have acted as catalysts at various times in European environmental policy, either by developing innovative domestic policies or by pushing other EU members to adopt policies. Each chapter author is an expert on his or her country's environmental policy. Since little readily available material exists on Finland and Austria, these particular chapters help fill the literature gap. The chapters collectively focus on the environmental problems and policies, institutions, political context, key actors, foreign environmental policies and participation in the EU of each country. Different chapters have varying emphases, and sometimes do not treat national policy-making styles explicitly.

The countries differ in their strategies and influence on EU policy-making, and the volume effectively highlights this complexity. Nonetheless, the chapters offer only a broad overview of developments in each country. They are not as incisive as they could have been. However, Peble makes the interesting observation that Germany is likely to become less prominent in driving European environmental policy because of its enduring technological frame.

This volume adds to the scholarship that reveals the differences between countries in their environmental situation and history, institutions, policy culture and participation in regional and international political systems. Unlike most other works, it targets the dynamic interaction between EU and national politics, and therefore points the way to new research directions.

Harvard University

Alastair Iles

Regelsberger, Elfriede, Philippe de Schoutheete de Tervarent and Wolfgang Wessels (eds). *Foreign Policy of the European Union*. Boulder, CO: Lynne Rienner Publishers, 1997.

This very informative book, edited and authored by distinguished academics, high-ranking European Union officials and senior diplomats is a mine of historical information