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To a large extent, Andrei Marmor’s collection of essays can be divided into two halves that are designated by the two main phrases in its title. To be sure, some topics—most notably the character of legal authority—figure quite prominently in most of the book’s chapters. On the whole, however, the first five essays concentrate on the nature of law as an institution that is both conventional and authoritative, whereas the final three essays concentrate on the objectivity of values. Marmor has been very heavily influenced by his mentor Joseph Raz in his approaches to the issues which he addresses, but occasionally (especially in Chapter 2) he criticises some of Raz’s positions. His book is frequently unconvincing, but is thought-provoking and philosophically sophisticated. It certainly deserves attention from anyone interested in the philosophy of law. (Given that Marmor is not a native speaker of English, he is hardly to be faulted for the solecisms that mar his prose. However, the copy-editor for the OUP could and should have removed the many stylistic and orthographic infelicities that bestrew the text.)

Because of constraints of space, and because of the diversity of the essays in Positive Law and Objective Values, this review will focus on Chapter 1 and especially on Chapter 3. The latter of those two chapters draws upon the former, which seeks to provide a fresh understanding of the Rule of Recognition under which the officials in each legal system ascertain their system’s laws. Like a number of other legal positivists in recent years, Marmor has concluded that the modelling of a Rule of Recognition as a set of solutions to game-theoretical coordination problems is far too confining. He maintains that a Rule of Recognition is best understood not as a coordination convention but instead as a constitutive convention. That is, the criteria in a Rule of Recognition are not solutions to pre-existing problems; rather, they constitute a social practice within which certain distinctive problems and values emerge. In this respect, the criteria in a Rule of Recognition are similar to the rules of chess and other games. Those criteria establish the point or purpose of the enterprise which they constitute, instead of being impelled entirely by some antecedent point or purpose which they serve to address. “It is a typical feature of conventions constituting such practices as the game of chess, that they partly constitute the point or value of the activity itself, and it is in this sense that we can talk about autonomous practices: namely, that the point of engaging in them is not fully determined by any particular purpose or value which is external to the conventions constituting the practice” (p. 14).

Though Marmor’s account of law-ascertaining criteria as constitutive conventions is interesting and illuminating, it is by no means
unproblematic. What is of primary interest here, however, is not the account itself but the use to which Marmor puts it in his third chapter. In that chapter he defends “Exclusive Legal Positivism” against “Inclusive Legal Positivism” and “Incorporationism”. Like Raz, he contends that the criteria for the status of norms as legal norms in any regime of law cannot lay down moral tests; the legal validity of a norm is never dependent on its moral content. In taking such a view, Marmor sets himself against the position of Inclusive Legal Positivists, who maintain that the criteria for legal validity in any particular legal system can include (but need not include) a requirement of consistency with various moral values. He likewise opposes the Incorporationist thesis that the correctness of a norm as a moral principle can be a sufficient condition for the status of the norm as a law within any legal system in which the officials treat such correctness as a hallmark of legal validity. In short, he denies both that a norm’s consistency with the demands of morality can ever be a necessary condition for its status as a law, and that a norm’s moral worthiness can ever be a sufficient condition for its endowment with such a status.

What is novel in Marmor’s theory is not the twofold denial just mentioned, but his attempt to ground his stance on his account of law-ascertaining criteria as constitutive conventions. Although parts of his defence of Exclusive Legal Positivism are taken directly from Raz, his appeal to the constitutive character of the criteria in any Rule of Recognition is a fresh and piquant strand of that defence. His basic line of reasoning is as follows: “[A]n essential element of such a social practice like law is that it is founded on constitutive conventions, namely, on a set of conventions which determine what the practice is and how one goes about engaging in it… [C]onstitutive conventions have no role to play in determining that we should act according to moral reasons. Moral and other practical reasons are there to be acted upon, regardless of conventions. Conventions … cannot constitute reasons for acting according to reasons” (p. 51, emphasis in original).

According to Marmor, constitutive conventions are necessary if people are to have reasons to carry out the various steps that amount to participation in the activity which those conventions have shaped. In the absence of such conventions, people have no reasons to perform those steps (such as the moving of chess pieces in certain ways). Yet, Marmor maintains, any Incorporationist criteria for the ascertainment of law would not play such a reason-engendering role. Those criteria would direct officials to arrive at decisions by reference to moral principles on which the officials already have reasons to rely. Instead of creating reasons where none existed before, the Incorporationist conventions would simply recapitulate the existing reasons. Hence, Marmor concludes, any norms classified as laws by Incorporationist criteria would not be products of constitutive conventions. Those norms would therefore not be genuinely legal standards, since constitutive conventions are essential for the existence of law.

This line of reasoning by Marmor is question-begging at best, and is thus inconclusive. After all, as Marmor himself emphasises, the law-ascertaining decisions ordained by Incorporationist criteria are different from chess-playing moves in that there are convention-independent reasons for arriving at the former whereas there are no such reasons for engaging in the latter. An Incorporationist theorist should consequently reject the
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premise that, if anyone has reasons for orienting himself toward the content of any law, they must be the intra-conventional reasons created by constitutive conventions. Marmor would retort that the decisions reached by reference to Incorporationist criteria are not legal decisions at all, precisely because officials have reasons to arrive at those decisions even without any constitutive conventions that form a practice of law-ascertainment. However, he would thereby beg the question on the key point at issue. His opponents should reply that the norms singled out by Incorporationist criteria can be laws even if officials have convention-independent reasons to resort to those norms. Marmor would in turn contend that his opponents are abandoning their adherence to the notion that law is essentially conventional. Here we have come to the gist of the dispute. Two main rejoinders are pertinent.

First, even if it were true that law is essentially conventional in Marmor’s sense, it would not necessarily be true that each law is a norm which officials have no convention-independent reasons to invoke. One could accept that every legal system is a product of constitutive conventions, while also affirming that any such system can include some laws whose bindingness as norms is not dependent on the conventions that give rise to the system wherein they exist as laws. Second, one need not grant that every possible legal system is indeed a product of constitutive conventions. To insist on the conventionality of law is not perforce to concede that the conventionality must invariably be as Marmor describes it. An Incorporationist legal regime is conventional in the sense that it consists in sundry convergent modes of behaviour (by officials) which sustain a Rule of Recognition with a content that would have been different if the officials’ convergent modes of behaviour had been different. In other words, that content is determined by the patterns of behaviour and is not preordained by the sheer nature of law. Furthermore, the Incorporationist criteria for the ascertainment of legal norms are likewise conventional in that an important reason which each official has for adhering to those criteria is that other officials adhere to them and arrive at decisions based on them. To be sure, that reason is not the only reason for each official to rely on the norms validated as laws by those criteria; as has been stated, each official also has convention-independent reasons for resorting to such norms. Moreover, admittedly, any particular official(s) might in fact be motivated only by those convention-independent reasons. Nevertheless, in regard to each official, the concertedness of the behaviour of other officials is indeed a reason for him to join them in abiding by Incorporationist touchstones.

In sum, Marmor’s defense of Exclusive Legal Positivism is at best inconclusive. His analysis of constitutive conventions is stimulating, but it is insufficient to vindicate his Razian version of legal positivism against alternative versions. A number of his other lines of thought in Positive Law and Objective Values are equally unpersuasive, especially when the volume is endorsing rather than contesting Raz’s pronouncements. Still, anyone interested in legal philosophy can profit from wrestling with Marmor’s arguments. In an age tarnished by the fatuities of postmodernist mountebanks, his rigorous approach to the philosophy of law is admirable indeed.

MATTHEW H. KRAMER

As an elementary introduction to some methodological issues that have figured prominently in recent debates among legal philosophers, Evaluation and Legal Theory is quite serviceable. In fact, given that undergraduate Jurisprudence students tend to pay far too little attention to methodological questions, the book might turn out to be valuable within its limited objectives. To be sure, even within those modest objectives the volume suffers from some confusion, as will become plain below. Indeed, especially in Dickson’s discussions of John Finnis and Frederick Schauer, the confusion occasionally amounts to serious distortion. Any recommendation of this book to one’s students should be accompanied by prominent caveats. Nevertheless, if Dickson’s lucid introduction helps to draw the attention of undergraduates to certain important issues that they would probably otherwise have ignored, it will prove to be worthwhile.

The central topic which Dickson addresses is encapsulated in her title. Rightly rejecting the idea that any philosophical theory of law can be value-free, she enquires into the implications of the fact that every such theory must draw upon evaluative considerations. Writing as a legal positivist (specifically as a disciple of Joseph Raz), she is especially interested in determining whether the evaluations necessary for jurisprudential analyses must incorporate moral judgments. She delineates three main questions that structure her investigation of the methodology of legal philosophy:

1. Must every adequate theory of law include moral evaluations of the institutions and norms which it seeks to expound?
2. Must every adequate theory of law conclude that law is a morally justified phenomenon?
3. Can the beneficial moral consequences of the adoption of a certain theory of law weigh in favor of that theory’s satisfactoriness as an account of its subject matter?

Dickson labels an affirmative answer to the first of these questions as the “moral evaluation thesis”, an affirmative answer to the second as the “moral justification thesis”, and an affirmative answer to the third as the “beneficial moral consequences thesis”. She endeavours to contest each of those theses and to show that the inevitably evaluative character of legal philosophy does not necessitate an acceptance of any of them. In so doing, she is hardly breaking new ground. Rather, she is opting for a methodological stance that has been advocated by many Anglo-American legal positivists during recent decades, who have been inspired in various ways by H.L.A. Hart. Dickson has been especially heavily influenced by her mentor Raz, and indeed her book is largely a conspectus of Raz’s views.

Although the basic position staked out by Dickson within this tradition of positivist thought is perfectly sound—consisting both in her repudiation of the notion of value-free theorising and in her rejection of each of the three theses mentioned above—some of her specific ways of articulating and defending that position are dubious. One problem lies in her terminology. In order to explain how positivist theories of law can be evaluative even though they do not engage in moral assessments, Dickson
distinguishes between two broad classes of propositions: the directly evaluative and the indirectly evaluative. Both her “directly”/“indirectly” terminology and her initial exposition of this dichotomy convey the impression that she is differentiating between (i) any proposition that attributes goodness or badness to some phenomenon and (ii) any proposition that singles out some phenomenon for such an attribution without specifying whether goodness or badness is the property to be ascribed. A proposition of the latter type would indicate that something is important, without indicating whether the thing’s importance stems from its being good or its being bad. So construed, Dickson’s distinction would be misleading and problematic in several respects, not least because it would render mysterious many judgments of importance in the natural sciences. Slightly later, however, Dickson elaborates her distinction in a more perceptive manner (though she retains the unhelpful “directly”/“indirectly” terminology). Departing somewhat from the details of her discussion, we can best understand the matter along the following lines. Any non-neutral evaluative proposition affirms in effect that some specified phenomenon is positively or negatively related to some purpose or goal or desideratum. The purpose or goal or desideratum, which is classifiable as such in application to the person asserting the proposition or in application to any other person(s) with whom the proposition associates it, need not be explicitly designated if the context makes clear what it is. Most important, it need not be moral-political. It can be purely theoretical-explanatory, for example, or it can be internal to some activity such as a game. Thus, for instance, a claim about some institution’s importance or unimportance might be based not on any moral considerations but on a judgment about the extent to which the institution should figure in a comprehensive yet parsimonious account of sociopolitical life.

Legal positivists, then, can readily accept that they must make judgments of importance in their analyses of law, while insisting that those judgments are oriented purely toward theoretical-explanatory objectives rather than toward moral-political ideals. Dickson is wise to join many other legal positivists in recognising as much. Far less pertinent, however, are some of her critiques of alternative positions. Correct though she is in sensing that those positions are unsound, she goes astray when she endeavours to expose their weaknesses.

In her attempt to rebut John Finnis’s natural-law credo, Dickson runs afoul of an equivocation that pervades her book. From her first chapter onward, she uses the term “law” and the phrase “the law” as if they were interchangeable. In ordinary discourse, to be sure, “law” and “the law” are quite often synonymous. Even in jurisprudential parlance, that term and that phrase are sometimes interchangeable. Frequently, however, jurisprudential theorists distinguish between “law” as a general type of institution and “the law” as a society’s particular instantiation of that general type. Such a distinction is crucial for any examination of Finnis’s work, which advances a number of claims about law as a general mode of governance rather than about particular regimes of law. Finnis is certainly not attempting to argue that every regime of law engenders a comprehensively applicable moral obligation of obedience. Rather, he highlights certain features of law—most notably its essential role in providing basic security and in coordinating the countless interactions of individuals—and he adverts to those features as his warrant for
maintaining that a regime in which the law does engender a comprehensively applicable moral obligation of obedience is the central case or paradigmatic instance of law. Such a regime promotes the common good and the good of each individual by giving rise to the desiderata for which law is essential, and by doing so without the taint of corrupt or evil mandates that deviate from the benevolent ends for which law is indispensably suited. Finnis holds that, by concentrating on such a system of governance as the central paradigm of law, we can discern the goods that are realised by law even in its less worthy instantiations. His insistence on this point is of course fully consistent with his further contention that the less worthy regimes of law are debased in various respects and that many of their mandates may consequently lack moral obligation. As Finnis declares, laws “made for partisan advantage, or (without emergency justification) in excess of legally defined authority, or imposing inequitable burdens on their subjects, or directing the doing of things that should never be done, simply fail, of themselves, to create any moral obligation whatever” (Natural Law and Natural Rights (Oxford, 1980) p. 360). For Finnis, one’s attunedness to the morally commendable role of law is perfectly compatible with one’s equal attunedness to the morally deplorable substance of the law in some societies.

By running together law and the law, Dickson’s rejoinders to Finnis misrepresent his position. Her ripostes teem with statements of the following sort: “For Finnis, then, the methodological stance which the legal theorist must take in order to understand law adequately will result in his theory holding the law to be morally justified” (p. 72). One should not presume that Dickson’s slippage between “law” and “the law” is simply a matter of stylistic sloppiness. On the contrary, her whole critique is founded on the erroneous notion that Finnis has sought to vindicate the moral obligation of the norms in every legal regime: “Finnis’ arguments for pushing the moral evaluation thesis all the way to the moral justification thesis are going to have to do a lot of work in order to be successful, due to the strength of the conclusion which they are required to substantiate. The important point to note is that Finnis is attempting to establish much more than that every legal system, of necessity, must have at least some moral merit… This perhaps quite plausible claim would … be compatible with the view that in many instances, the legal system in question also perpetrates such a great deal of evil that its claim that it is morally authoritative and ought to be obeyed is simply false. The further conclusion which Finnis needs … to establish is that it is in the nature of legal systems that they are morally justified, i.e. correct in the claims to moral authority and in the demands to be obeyed on their own terms which they make” (pp. 80–81, emphases in original). Dickson quite plainly is not genuinely engaging with Finnis’s arguments. Finnis, after all, proclaims that “for the purpose of assessing one’s legal obligations in the moral sense, one is entitled to discount laws that are ‘unjust’ in any of the ways mentioned. Such laws lack the moral authority that in other cases comes simply from their origin, ‘pedigree’, or formal source” (Natural Law and Natural Rights, p. 360). Finnis affirms what Dickson takes him to be denying, and he denies what she takes him to be affirming. Unlike her, he unfailingly keeps in view the distinction between law and the law. Unlike her, then, he can easily reconcile the claim that law is morally obligatory and the claim that the law in any given society may be largely lacking in
moral obrigatoriness. (Lest my defence of Finnis against Dickson’s baseless strictures be interpreted as an endorsement of his approach, I should remark that I have sustainedly argued against his methodological stance in my In Defense of Legal Positivism (Oxford 1999), pp. 233–239.)

Equally distorting is Dickson’s principal retort to Frederick Schauer, who has championed legal positivism partly on the ground that a widespread acceptance of positivism’s tenets would yield beneficial moral consequences. Having plumbed for what Dickson denominates as the “beneficial moral consequences thesis”, Schauer undergoes criticism from her for having allegedly argued in the wrong direction. She delivers the following rebuke: “Schauer seems to argue in favour of espousing [legal positivism] on the grounds that so doing will result in the beneficial moral consequence of promoting clearer and more critical thinking about the law. However, the problem with this is that espousing [legal positivism] will only promote the kind of clearer thinking about the law which could assist in subjecting it to critical moral scrutiny if [legal positivism] is the correct way to go about understanding the way in which law is to be identified. The beneficial consequences which Schauer describes, then, will only follow if it is true that law is to be identified in the way [legal positivism] claims. … In other words, the alleged promotion of clearer thinking about the law which results in an increased ability to subject it to moral scrutiny is a consequence which ensues if [legal positivism] is true, and, as such, cannot itself be used to provide argumentative support for its truth. As it stands, Schauer’s argument runs in the wrong direction, from premises consisting of a claim about the beneficial consequences of espousing a certain theoretical understanding of law, to the conclusion that this way of understanding the law is therefore correct” (pp. 88–89, emphases in original). In this passage and in numerous similar statements throughout her discussion of Schauer, Dickson asserts that his aim is to promote clarity of thought about law or the law. Let us for a moment assume that her attribution of this aim to him is accurate. Even then, we could not automatically infer that Schauer has stumbled. We would need to know what is meant by “clear” thinking. If “clear” simply means “precise and orderly,” then it does not per se denote veridicality—in which case Schauer’s fulfilment of his aim would be consistent with the falsity of legal positivism. Only if “clear” is taken to mean not only “precise and orderly” but also “free of fallacies”, would Schauer be begging the question by presupposing the truth of legal positivism while endeavouring to establish its truth.

Let us now, however, notice that Dickson has not accurately recounted Schauer’s ambition. Her myriad references to clear thinking and clarity of thought are her own invention. Such references convey the impression that Schauer is pursuing the theoretical-explanatory desideratum of veridicality (on top of any practical objectives that he might hope to attain). In fact, his focus lies entirely on the practical goal of averting the prevalence of excessive deference to the law’s requirements. He is pondering whether the widespread embrace of a positivist understanding of law would tend to keep people from complying uncritically with nefarious legal mandates. The correctness of an answer to that question is independent of the truth-values of legal positivism’s theses. Schauer could hope to achieve his objective even if legal positivism were false. Consider here an analogous situation relating to utilitarianism. Some utilitarians, who maintain that their credo
is uniquely correct as a moral theory, also maintain that the widespread adoption of a non-utilitarian outlook would be morally beneficial. They maintain, in other words, that the widespread embrace of moral beliefs perceived by the utilitarians themselves as fallacious would help to maximise the aggregate utility of people and would therefore tend to realise the true end of morality. In taking such a view, they are hardly presupposing that the perceivedly fallacious moral beliefs are true. The truth-values of those beliefs do not have a decisive bearing on their capacity to generate beneficial moral consequences by maximising people’s utility. Schauer similarly is not committed by the logic of his argument to the claim that legal positivism is correct as a theory of law. Instead, he is committed merely to the thesis that positivism is singularly suitable for bringing about the vigilance or wariness which he is recommending. Such a thesis is of course precisely what he ventures to substantiate, through lines of reasoning that are not question-begging.

To be sure, Schauer as a legal positivist does believe that the tenets of positivism are true. The point here is simply that, pace Dickson, an affirmation of the truth of those tenets is not a presupposition of his “beneficial moral consequences” argument. Whatever may be the shortcomings of that argument, it does not beg the question or proceed in the wrong direction. (Again, my defence of a position against Dickson’s onslaughts should not be construed as an endorsement thereof. I have elsewhere persistently impugned the sort of approach which Schauer favours.)

Dickson’s book, marred by distortions in its treatment of certain other theories, is likewise flawed in some less serious respects. In the tenor of its methodological pronouncements, the volume is sometimes too sweeping and rigid. For example, Dickson twice proclaims that “the only way in which we can begin to investigate what [law] is like, and how it differs from other types of social organisation, is by attempting to isolate and explain those features which are constitutive of it, and which make it into what it is” (pp. 19, 89). She emphasises: “Such features can be nothing more nor less than law’s essential properties, and it will be necessarily true that law exhibits such properties” (p. 19). Now, although the general position articulated here by Dickson is sustainable and fruitful, it should be resolutely affirmed in the aftermath of one’s jurisprudential enquiries rather than at the outset. To lay it down as a firm methodological canon at the outset is to beg the question against a Wittgensteinian approach whose proponents would maintain that the distinctiveness of law consists in certain imbricated family resemblances rather than in any set of significant properties that are common to all possible legal systems. Dickson is right to set herself against the Wittgensteinian approach, but she should be doing so through substantive jurisprudential analyses rather than through methodological ukases.

A comparable instance of regrettable dogmatism emerges when Dickson is commenting on the judgments of importance that underlie anyone’s jurisprudential analyses. She holds that such judgments “must . . . reflect what those subject to the law regard as important about it” (p. 66). As she states in her most extended discussion of the matter, “any explanatorily adequate legal theory must, in evaluating which of law’s features are the most important and significant to explain, be sufficiently sensitive to, or take adequate account of, what is regarded as important or significant,
good or bad about the law, by those whose beliefs, attitudes, behaviour, etc. are under consideration” (p. 43). Again Dickson’s basic position is sound, but again it should be established through conceptual analyses rather than through a methodological fiat. With her robust assertions before any substantive theorising has begun, Dickson begs the question against Marxists and other supercilious prigs—who might contend that most people’s views about the relative importance of sundry features of law are deluded, and who might submit that those views are therefore to be discounted rather than sensitively reflected. Dickson is right to distance herself from the Marxist standpoint, but an effective contestation of that standpoint has to be conducted at the level of substantive explications rather than at the level of methodological stipulations.

Like some of the methodological pronouncements in Evaluation and Legal Theory, some of the book’s substantive assertions are marked by overconfidence. For instance, Dickson repeatedly follows her mentor Raz in declaring that “law invariably claims that it has legitimate moral authority” (p. 44). She sometimes merely attributes this thesis to Raz without explicitly endorsing it herself, but at other times she presents it as a truth on which “all can agree” (p. 63). Far from having elicited unanimous approval, the thesis about law’s invariable claim to legitimate moral authority is controversial; I myself have argued at length that it is false (in In Defense of Legal Positivism, pp. 92–101). Perhaps Dickson can offer arguments to vindicate her Razian stance. If so, however, the arguments do not appear anywhere in the book under review.

Though Dickson’s volume is extremely lucid, her style is prolix and somewhat error-prone. The book contains quite a bit of repetition, and there are too many passages in which Dickson tells us what she is going to tell us. She also uses first-person singular pronouns far too frequently. Still, notwithstanding the analytical and stylistic missteps, Evaluation and Legal Theory is quite a useful introduction for undergraduates to some methodological complexities that might otherwise remain beyond their ken. The volume’s admirably limpid prose will win the gratitude of students, who can quite painlessly get a glimpse of the importance and profundity of methodological problems.

MATTHEW H. KRAMER


The majority of books on euthanasia argue for its decriminalisation. These two books arguing against decriminalisation will help redress the balance.

The book by Professor Somerville, Director of the Centre for Medicine, Ethics and Law at McGill, is a collection of her papers on the subject over the last twenty years, though a few chapters consist of papers by other
authors and her response to them. It aims to “explore the causes, scope and impact of the contemporary euthanasia debate” (p. xvi), and is divided into six parts.

The first, “Euthanasia and the Search for a New Societal Paradigm”, argues that the euthanasia debate reflects society’s search for a new cultural paradigm. Part Two, “Evolution of the Euthanasia Controversy”, stresses the importance of clear definitions and distinctions in the debate and rightly criticises the common conflation of “euthanasia”, which involves an intent to kill, with other end of life decisions, such as withdrawing futile treatment, which do not. She considers why the euthanasia debate is taking place now and suggests that “euthanasia talk” may be a contemporary form of “death talk”, a way in which a death-denying secular society, which has largely abandoned religion as a context in which to discuss death, can not only talk about death, but simultaneously assuage its anxieties about death by seeking to control it. To move from chance to choice may be thought to reduce the suffering associated with the feared event. Other possible causes of the current debate, such as the growing numbers of elderly; the support of the mass media for decriminalisation, and an emphasis on individual rights, are also canvassed. The author cautions that communities also have interests, and that euthanasia is one of those situations where the needs of the community, including the protection of the vulnerable and the preservation of trust between doctor and patient, take priority over claims by the individual.

Part Three, “Untreated Pain and Euthanasia”, argues that patients should be given greater control over the administration of their palliative medication; addresses the “horrifying” scandal of inadequate palliative care at the end of life; and argues that failure to provide such care, which should be seen as a serious breach of a basic human right, should sound in civil, and possibly criminal, liability. Part Four, “Respect for Dying People and Euthanasia” begins by cautioning, conversely, against the dangers of overtreatment and argues persuasively that dignity is intrinsic rather than extrinsic and is not lost through dying or disease. Part Five, “Euthanasia in the ‘Public Square’”, notes the pro-euthanasia bias in the mass media. It goes on to argue (controversially) that intellectual consistency requires opponents of euthanasia to oppose capital punishment. The final part, “Ethical and Legal ‘Tools’ in the Euthanasia Debate” examines the concepts of competence, autonomy and voluntariness, and argues for recognition of human rights, “human ethics” and an “ethic of care”. The book concludes that society needs “an ethic of wise restraint” in considering the arguments for euthanasia. Individual claims must be balanced by individual responsibilities; freedom is to be found in fetters.

The book edited by Professor Kathleen Foley (an expert in neurology and palliative care) and Professor Herbert Hendin (a psychiatrist) seeks to offer “a comprehensive perspective on the case against physician-assisted suicide and for palliative care” (p. vii). It comprises four parts.

The first part, “Autonomy, Compassion and Rational Suicide”, comprises rigorous ethical arguments against assisted suicide by Leon Kass, Edmund Pellegrino, Daniel Callahan and Yale Kamisar. The second part, “Practice versus Theory”, contains insightful and well-documented critiques of euthanasia and assisted suicide in the Netherlands, Oregon and the Northern Territory of Australia. Part Three, “Reason to be Concerned”, contains essays against assisted suicide from the perspective of the
vulnerable, such as those with disabilities, and a chapter on the reality of (often undiagnosed) clinical depression in many of those seeking assisted suicide. The final part contains a chapter by Cicely Saunders on the philosophy and growth of hospice care, and one by Foley on the disturbing ignorance among doctors and patients of palliative care and the urgent need to make such care more widely available. In a concluding chapter, Foley and Hendin observe that the evidence from those jurisdictions which have tolerated euthanasia or physician assisted suicide has shown that such tolerance “complicates, distracts, and interferes with the effort to improve end-of-life care” (p. 331). They conclude that the current challenge is to create a culture which identifies the care of the seriously ill and dying as an urgent public health issue.

Both of these books have major strengths. The former is the culmination of the sustained reflections of one of the world’s leading experts in the law and ethics of medicine and merits reading for that reason alone. The book is, particularly on the factors generating the current debate, wonderfully illuminating and thought-provoking. The latter book is an excellent, readable compilation of essays whose contributors include stellar experts in ethics, medicine and the law. Foley, Hendin, and their contributors have produced a truly outstanding resource.

A few minor criticisms could perhaps be made. Some material in the former book, perhaps inevitably in such a compilation, contains material which either overlaps or is a little dated. Both books could have said more about the argument from the sanctity of life, at least as that argument has traditionally been understood. However, such criticisms cannot detract from the fact that these thoughtful, scholarly works will enrich what is too often a superficially-conducted debate and, in their cogently argued conclusion that society’s focus must be on better caring, not easier killing, should give even the keenest euthanasia supporter pause. Which of the two should anyone interested in the euthanasia debate buy? In this reviewer’s opinion, both.

JOHN KEOWN


Increasingly, historians have become interested in the role of law in the British Empire and the separate anglophone jurisdictions spawned in North America and Australasia. The orthodox imperial legal histories focussed on “state” law; that is to say, the constitutional processes by which the colonies received (or, in the case of the United States, reconceived) Parliamentary institutions and fashioned their own national law and juridical identity. These “top down” histories did little to explain how anglophone legalism actually manifested itself in these transoceanic settings in the period before the full ascendance of state law. Also, the focus upon state law and constitutional form lacked a sociological account not just of local legalism but of its engagement with metropolitan
authority. It is that shortfall that Peter Karsten’s book *Between Law and Custom* attempts to address. The book describes the law ways of these transplanted anglophonic communities and examines the gap between what he terms “high legal culture” of the metropolitan centre and its agents, and “low legal culture”, the settlers’ actual practices. The book is highly ambitious in scope, covering the anglophonic diaspora and settler communities of North America and Australasia (and occasionally other sites of British imperialism such as southern Africa and Fiji). It spans four centuries, from late Tudor plantation of Ireland to the white settlement colonies’ achievement of Dominion status in the late nineteenth century. In essence the book describes the formation of national legal identity, the way in which the stage was set for state law’s mastery in each jurisdiction at the end of the nineteenth century. However, unlike the older historiography he does this from the “bottom up”, by reference to settlers’ legal practices.

Implicitly—though not overtly—rejecting the conception of “law” as emanating from the state (statism) the author describes the initial divergence between the high and low legal cultures. There was frequently a large gap between the regulation of frontier life as contemplated by London and officialdom and the actual conduct of it on the ground. The author shows how frequently the latter confounded and defied official stipulation and expectation, as by squatting on aboriginal peoples’ land contrary to higher command. As the settler communities acquired greater jurisdictional competence during the mid-nineteenth century their legal institutions consciously manufactured state law, so reinforcing the authority of the settler polity. As the settler-state formed, law and practice converged, frontier contrariness became less marked and the settler more “law-abiding”. The gap between high and low cultures diminished as state law became more pervasive and authoritative in these late nineteenth century proto-nation states.

This process of divergence and convergence is set out as a sociological rather than historical phenomenon. The book is structured about three legal aspects of colonial or, more aptly, frontier life: land (especially with regard to the indigenous owners), agreements (contract) and accidents (tort). The author uses historical material as examples and amplifications of divergence and convergence. In that sense there is no sustained historical structure beyond description of that process, so much as sociological observation and commentary. His sequence of examples cuts across time and jurisdiction, showing how the author’s primary concern is with the sociology rather than history of law.

The broader theme of divergence and convergence is not of itself novel. Two generations of American legal historians have examined the historical sociology of colonial and republican law. Their interest has been broader than Karsten’s, incorporating an interest in intellectual and political history absent from this book. In Canada a new and exciting tradition of legal history has been emerging in the past twenty years, so too in Australia singlehandedly through Bruce Kercher, although New Zealand lags badly. What is novel about Karsten’s book is the attempt to consolidate and elaborate those localised accounts into a panoramic, cross-jurisdictional picture of anglophonic legal voyaging and proto-nationalism. It is a detailed, highly informative compilation or digest of legal populism and settler autochthony. However, despite drawing upon these North American and Australian schools, this is not an historical work as often it seems to
be claiming. It is a sociology of law in anglophonic frontier settings where unempowered settler populism buckles against authoritarian, and frequently distant or remote, diktit. It is a description (and less an explanation) of that localism eventually prevailing over metrocentrism.

However, the book’s claim to represent the “legal” dimension of the historical contest between imperial metrocentrism and colonial localism is problematic. For a book about “law” the author is remarkably brief and vague in his explanation of what the term means. Formal “high” law he describes as carried in statute, common law (in the sense of being judge-made), and imperial instructions to colonial functionaries (such as Governors). The difficulty with this is that imperial instructions could be formal (issued under the royal sign manual) or informal and contained in despatches from the Colonial Office, the latter not being in themselves of any legal weight. To give another example he discusses (pp. 126–128) the treatment by the mid-nineteenth century courts of Upper Canada of the English law rule regarding the wasting of timber by tenants. He notes that Chief Justice Sir John Beverly Robinson, a notable Loyalist, applied the English rule strictly in the court of Queen’s Bench unlike Chancellor Blake who took a more flexible approach. What Karsten does not explain was that the latter was exercising an equitable jurisdiction that for many years had not reached the Upper Canada legal system, the former a common law one. This was a colonial culture finely attuned to the difference between law and equity and not simply a case of Robinson’s conservatism. High law, by Karsten’s approach, was what those in authority were prescribing, not merely in a strictly legal sense but by other informal means (such as despatches). The problem with that is that this “high culture” was not so much, or even preponderantly, “legal” as a complex, layered and changing set of beliefs about the nature of public authority. Law was certainly a central element, but so too religion, conceptions of history, political economy, science and associated notions of the role of the individual. Not only were those imbricated conceptions interacting, often haphazardly, they were also prone to change over time. Indeed the “high culture” conception of law underwent considerable change in the mid-nineteenth century but this intellectual development, which has important, highly supportive consequences for Karsten’s tale of the eventual triumph of state law, is not explored. The complexity of “high” metrocentric thought is lost and its historicisation is missing from Karsten’s depiction of “high legal culture” as essentially static and monolithic.

These prescriptive statements from the “high legal culture” are sometimes regarded sceptically. He asserts, for example, that under English common law there is a rule that upon termination of a lease all structures fitted by a tenant become the landlord’s (p. 125). He contrasts this rigid rule with the more flexible approach of the early republican American courts. However, by the early eighteenth century English law had recognised “tenant’s fixtures” for which there was a right of removal. English law was not as inflexible and American law more responsive, as the author says. Rather nationalist American jurists (like Kent and Story) were revealing their ambivalence towards the common law. Why were they doing so? The law of the republic retained its foundation in common law method, but with the experience of revolution behind it and the memory of the 1812 war fresh, had its own nationalist agenda. Karsten misses the more interesting question by taking the American jurists at their word.
Karsten’s failure to explore the character of “law” in its “lower” form is highly problematic. It is insufficient for him to say that his notion of law is not that of “jurists”. There is no doubt that he takes a non-statist, pluralistic conception of “law”, as his inclusion of aboriginal custom and settler folk-ways makes plain. Indeed his argument is that the totalising conception of state law, with its stifling belief in legal monoculture, eventually prevailed in the late-nineteenth century legal nationalism of each jurisdiction. Still, one is left with the problem of what Karsten means by “law”. Santos, a prominent legal pluralist, defined “law” as “a body of regularised procedures and normative standards, considered justiciable in any given group, which contributes to the creation and prevention of disputes, and to their settlement through an argumentative discourse, coupled with the threat of force”. (Toward a New Common Sense: Law, Science and Politics in Paradigmatic Transition, New York: Routledge, pp. 114–115.) Karsten joins those who argue that “not all phenomena related to law, and not all that are law-like have their source in government” (Moore “Legal Systems of the World” in L. Lipson and S. Wheeler, eds., Law and the Social Sciences, New York: Russell Sage Foundation, 1986 at p. 15). By his broad approach, however, all forms of social control become “law”. Where, one might ask, “do we stop speaking of law and find ourselves simply describing social life”? (Merry “Legal Pluralism” (1988) 22 Law and Society Review 869 at p. 870.) It is that question which dogs Karsten’s discussion of law. Were settlers by their conduct really constructing something they perceived as their own “legality” or were they simply social practices at odds with the “higher” law? Did the metropolitan agents perceive this gap in as strong a manner as Karsten portrays it or did they feel there was a more organic relation between English law? The royal charters and instructions may be regarded as attempts to re-create a legal Albion. They may be seen also—and this is perhaps a more historically sensitive view—as trellises for the growth of a local legal identity up which settler practice intertwined (though not always happily) with English law.

The book contains numerous typographical errors and, to this reviewer’s eye anyway, there is over-intrusive use of the authorial first person. Stronger and more attentive editing was needed.

Paul McHugh


According to studies by the Oslo Peace Institute, 73 States were engaged in armed conflicts in the period between 1990 and 1995. In the clear majority (59) of these cases, the armed conflicts were non-international in character. The state of international law hardly mirrors this factual assessment. While traditional inter-State conflicts are regulated rather comprehensively, the law governing internal armed conflicts is still somewhat unsettled. This body of law is based on the vague terms of common Article 3 of the Geneva Conventions; it has been partly codified in Additional Protocol II of 1977, and it also continues to evolve as
customary international law. In the book under review, Lindsay Moir attempts to put together the pieces of the puzzle. Notwithstanding the criticisms set out below, it may be said at the outset that he fully achieves this goal. Readers are presented with a comprehensive survey of the modern law of internal armed conflict, including detailed discussions of most of the key issues.

Broadly speaking, the book can be divided in two parts. Chapters one to three provide a solid and well-written overview of the evolution of the law of internal armed conflict. Chapter one recapitulates the historical development, discussing the practice of recognition of belligerency and its decline in the 20th century, and the drafting history of common Article 3 of the 1949 Geneva Conventions. Chapter two provides a concise discussion of the main problems presented by that provision, and Chapter three does the same for Additional Protocol II of 1977.

Chapters four to six deal with more controversial issues, namely the status of customary rules governing internal conflicts, the relevance of international human rights, and the question of enforcement. Inevitably, chapter four largely turns upon the Tadic judgment of the International Criminal Tribunal for the Former Yugoslavia (ICTY). Despite some minor criticisms, Moir agrees with the Chamber’s findings that (i) there exists a body of customary international law rules governing internal armed conflicts, and (ii), more importantly, that violations of the laws of internal armed conflict can give rise to individual criminal responsibility. Given the drafting history of the Rome Statute of the International Criminal Court, during which the international community affirmed both findings, this is probably the correct view.

In Chapter five, Moir goes on to analyse “to what extent ... the provisions of common Article 3 and Additional Protocol II represent, and interrelate with, human rights protection” (p. 197). Unfortunately, he only succeeds in meeting the first of these two goals. As it stands, the chapter thoroughly analyses the extent to which the humanitarian law of internal armed conflict represents norms protecting human rights. Unfortunately, however, Moir does not fully clarify the interrelation between the two sets of rules. At the beginning of his analysis, he notes that “academic opinion seems to have crystallised into the view that the two regimes are related but distinct” (p. 193, n. 2), but then fails to explore many of the aspects of this relationship. For example, while noting the large overlap between the two sets of rules, Moir does not say whether one is lex specialis, or whether both always co-exist. Further issues worth discussing might have included the effects of reservations registered against, or prohibited under, one set of rules; or the relevance of human rights jurisprudence for an interpretation of the rules of humanitarian law. Fortunately, readers seeking information on these issues do not have to look very far, since the recent book by René Provost, International Human Rights and Humanitarian Law, also published by CUP, addresses them in depth.

Finally, Chapter six deals with what is perhaps the most pressing concern of those seeing to protect the victims of internal armed conflicts—the question of implementation. As Moir himself notes, “[t]he main problem lies not in the content of those rules [governing internal armed conflicts], but rather in their enforcement” (p. 232). The chapter discusses most types of enforcement measures envisaged in the Geneva Conventions and Additional Protocol II, such as prosecution of war criminals or action
by the ICRC and the United Nations. Quite convincingly, Moir shows that despite the absence of a clear regulation in Article 3 or Additional Protocol II, present-day international law prohibits the use of belligerent reprisals against civilians during internal armed conflict as a means of law enforcement. The section dealing with enforcement measures taken by third States is more problematic. Moir subscribes to the widely-held view that Article 3 gives rise to obligations *erga omnes*, but leaves open which legal consequences flow from that assessment (p. 244 *et seq.*). The much-debated issue of whether third States are entitled, under Article 1, to resort to peaceful reprisals in response to violations of humanitarian rules, is dealt with rather briefly. More importantly, there is no mention at all of the possibility of instituting ICJ proceedings against States responsible for breaches of *erga omnes* obligations. Given the major relevance of ICJ jurisprudence for the development the *erga omnes* concept, this is indeed a very surprising omission. The remaining section on the enforcement of human rights is concise and clear; but again, one would have hoped for more information on the interrelation between the two sets of rules. All in all, the chapter on enforcement is, therefore, less comprehensive than those parts dealing with the content of the rules.

As noted above, despite these criticisms, the book provides a well-written assessment of the current rules governing internal armed conflict. To have addressed such a heterogeneous field in a comprehensive way is in itself a significant achievement. It may be hoped that Moir’s clear exposition will assist in the crystallisation of customary norms, and in this sense, contribute to the further clarification of a hitherto very unsatisfactory area of international law.

CHRISTIAN J. TAMS


Birnie and Boyle’s ground-breaking first edition was published in 1992, shortly before the outcomes of the UN Conference on Environment and Development were known. Hence, although the first edition contained references to the Rio Declaration, the Framework Convention on Climate Change, and the Convention on Biological Diversity, it could only do so in a somewhat speculative manner. The much anticipated second edition remedies this problem admirably. Whereas some might draw a parallel in the second edition being published only several months before the Johannesburg Summit on Sustainable Development, the absence of any binding instruments arising out of that summit is unlikely to detract from the second edition’s currency.

The new volume is considerably longer than the first edition; it now fills almost 800 pages, compared to the first edition’s 563. The increase in coverage and detail is not unjustified, as this dynamic and rapidly evolving field has seen many developments since 1992. The basic structure of the first edition is preserved. In the three central chapters on “the structure of international environmental law”, the main argument is that “rules and principles of international law concerning protection of the environment do
exist and can be identified” (p. 79). The authors stress that international environmental law is “not a separate or self-contained field”. This explains their reluctance to entitle the book “International Environmental Law”—the authors note that there are those who would reject the view that there is such a body of law—and for the same reason, the authors later reject the proposal for an international environmental court. (p. 224).

The second edition contains many points of interest, and in this note it is only possible to draw attention to a few. One highlight is the informed discussion of the concept of “sustainable development”, which appears to have subsumed the notion of “environmental protection”. The concept came to the fore in “Agenda 21”, one of the outcomes of the Rio Summit, and a Commission on Sustainable Development has been established to “keep under review” the Agenda’s implementation. (p. 51). The authors explore the relationship between international law relating to the environment, and international law relating to sustainable development, and argue that the distinction is difficult; “although much of international environmental law could be regarded as law ‘in the field of’ or ‘aiming at’ sustainable development … [it] encompasses both more and less than the law of sustainable development” (p. 2). One simple answer is that sustainable development involves taking account of economic considerations, whereas environmental protection does not. However, the distinction is in reality far more nuanced, and the inherent complexity in the concepts is demonstrated. For instance, environmental considerations can sometimes trump development issues, even if they are sustainable; and developmental priorities might simultaneously override environmental concerns, “without thereby ceasing to be ‘sustainable development’” (pp. 2–3). Later, the authors go into more detail: the concept “implies not merely limits on economic activity in the interests of preserving or protecting the environment, but an approach to development which emphasises the fundamental importance of equity within the economic system”. Birnie and Boyle further explain that sustainable development also entails the acknowledgment of non-financial components in economic welfare, such as “the quality of the environment, health, and the preservation of culture and community” (p. 45). The importance of the concept is underscored by the International Court of Justice’s reference to it in the Case Concerning the Gabčíkovo-Nagymaros Dam, although the Court has not given the concept any clear content. It is suggested that the conduct of an environmental impact assessment may be a requirement for projects potentially harming the environment; however, the Court has not yet expressly adopted this view.

The chapter on regulation, compliance, enforcement and dispute settlement describes the difficulty of applying the traditional bilateral model of dispute settlement to disputes over the enforcement of norms of international environmental law. The first problem is that of proving state responsibility for an environmental problem such as global warming. Second, finding an adequate remedy for breaches of international environmental law is also problematic: if restitutio in integrum is the primary remedy in international law, how can this be awarded when the harm caused is Ozone depletion? (pp. 181–185). Another difficulty is that of standing: is there an “injured state” when a state does not comply with its obligations under, for example, the Convention on Biological Diversity? The ILC Articles on State Responsibility seek to address these problems;
their implementation remains to be seen. Birnie and Boyle rightly argue that reliance on state responsibility has “serious deficiencies” (p. 199), and suggest that a more sophisticated approach is needed for the enforcement of international environmental law. These include obligations to submit reports, monitor implementation, permit inspections to take place, and establish non-compliance procedures, as are employed to supervise states’ obligations under the Montreal Protocol (pp. 200–209).

Several specialised chapters follow, covering issues such as the sustainable use of international watercourses, the law of the sea and the protection of the marine environment, protection of the atmosphere and outer space, and conservation of biodiversity. A new inclusion is a chapter on international trade and environmental protection, which was written by Thomas Schoenbaum. It conveniently fills a gap in the first edition, and describes, inter alia, the jurisprudence of GATT and WTO panels concerning the exceptions in Article XX of the GATT, the role of the WTO’s Committee on Trade and Environment, and notes the persisting uncertainty concerning the GATT-compatibility of some multilateral environmental agreements which employ trade restrictions.

The breadth of coverage and the depth of detail in the second edition is remarkable. If there is a criticism to be made, it is that the increase in coverage and detail has perhaps made it somewhat less approachable; however, this is an inevitable consequence of making the book as comprehensive as it is. One regret is that endnotes instead of footnotes have been used: being able to check references on the same page as its text (as one was able to do in the first edition) might enhance its user-friendliness. However, this point is minor, and this second edition will undoubtedly prove to be an excellent resource for international law students and practitioners alike.

CHESTER BROWN


How is one to review a volume of more than 600 pages encompassing 38 authoritative voices on international trade in 1000 words? To begin with, this is not a compilation of previously published articles. The volume is “a tribute to the contributions of Robert E. Hudec” (p. xi), “one of the foremost authorities in the world on international trade” (p. xiii). The essays in this volume were originally prepared for a conference held in September 2000 to honour Professor Hudec’s retirement from the University of Minnesota Law School after 28 years (p. xi). Together, they compose an interdisciplinary study of current problems affecting the law and institutions of the World Trade Organization (p. 1).

The contributors to the volume are described as “[i]nternational experts in law, economics, and political science”. Indeed, the list of contributors comprises a striking collection of leaders in the field of international trade. Among the international trade law specialists are Kenneth Abbott, Steve
Charnovitz, Robert Howse, John Jackson, Petros Mavroidis, Ernst-Ulrich Petersmann, Joel Trachtman, and Michael Trebilcock (pp. ix–x). Most of the contributors are based in the US, and many are law professors. This is understandable given the book’s origins. Nevertheless, also included are several practising lawyers; academics in fields such as business, international relations and economics; and contributors from such universities as the London School of Economics, the University of Toronto, and the University of Geneva; not to mention the Director of the Legal Affairs Division of the World Trade Organization (WTO) Secretariat. The two editors are practising attorneys and Adjunct Professors of Law at the University of Minnesota Law School.

The list of contributors is itself a tribute to Hudec, indicative of the significance of his own contributions to international trade law and the high esteem in which he is held. Express references to Hudec and his work in the essays confirm this appraisal (e.g. pp. 254–257, 482). Before joining the University of Minnesota, Hudec was at different times a member of the Yale Law School faculty, the Secretariat of the General Agreement on Tariffs and Trade, and the Office of the Special Representative for Trade Negotiations (now the United States Trade Representative). At the time of writing, he is Research Professor of International Law at the Fletcher School, Tufts University (pp. xi–xiii). The volume contains a bibliography of Hudec’s works as of 31 December 2000 (pp. 667–671), including “six leading books and over thirty-five articles and monographs on international trade” (p. xiii). Several essays also contain additional references to relevant material not restricted to that of Hudec (e.g. pp. 147–154).

The introduction to the volume explains that the contributors were invited to adopt an approach described as “Transcending the Ostensible”, being “a particular analytical approach for which Hudec’s scholarship is known” (p. 1). This approach focusses on the possibility that WTO legal institutions “will function in unexpected ways due to the political and economic conditions of the international environment” in which they were created and operate (p. 1). The essays are also linked in that they almost invariably address problems that can be traced to the “expansionist agenda set in motion in the Uruguay Round” (p. 4). Using this common approach to address these related problems, the essays aim to go beyond conventional expectations, understandings and justifications to reveal the political realities of WTO institutions and, moreover, to provide a normative, forward-looking analysis of the WTO (pp. 9–10). Thus, for example, Friedl Weiss notes the tension between the formal democracy of the WTO (in which each member has an equal vote in decision-making processes) and the informal oligarchy of the traditional “Green Room” process (in which “a relatively small number of self-selected developed and developing countries get together to decide on decisive issues”) (pp. 75–76). He goes on to consider the reform of WTO decision-making through the establishment of a steering committee with responsibility for developing consensus on trade issues (p. 76).

The 22 chapters forming the core of the volume are divided into four parts. Part I addresses the constitutional developments of international trade law, including issues of subsidiarity, constitutionalism, and domestic regulation. Part II addresses the scope of international trade law, including old and potential new WTO subjects such as labour standards, bribery and corruption, and competition policy. Part III addresses the legal relations
between developed and developing countries, including the implications of past negotiations during the Uruguay Round and in Seattle in 1999 as well as current and future problems concerning public health, environment, and agriculture. Part IV addresses the operation of the WTO dispute settlement procedure, including the evolution of the Appellate Body, the possibility of a permanent Panel, and problems with the WTO compliance structure.

Individually, these chapters tackle many of the most important and controversial issues facing the WTO under the current Doha round of trade negotiations. As a whole, they present a balanced picture of the WTO in its contemporary and historical context. While many of the 22 chapters contain a single essay, almost half contain a primary essay followed by a shorter response or comment from another contributor. This structural approach enhances the coherence of the volume and encourages greater reflection on its contents. For example, Morrison’s characterisation of the WTO as a deal-making institution (p. 206) engages directly with the analysis by Abbott and Snidal of why the WTO has taken “no action explicitly aimed at combating international bribery and corruption” (p. 178).

This volume succeeds in its goal of transcending the ostensible. The uniformly well-written essays provide a fascinating look into the WTO, offering insights into WTO negotiations as well as national government decision-making and the operations of the WTO Secretariat. The scope of contributors’ expertise has enabled in-depth but well-rounded coverage of the issues, combined with concrete proposals for the future. The intended audience of “professionals and academics involved with international trade policy” will find much of interest and value in this volume.

TANIA VOON