

A factual error on page 1—Jonathan Aitken in his ill-fated action against *The Guardian* had no co-plaintiff—and a misreading of Lord Nicholls' speech in *Reynolds* at p. 173—the suggested (by Lord Lester QC) shift of the burden of proof was on to the plaintiff not the defendant—add to the feeling that the book has been rather hurriedly put together or cursorily edited. This is a pity for despite its faults this is a challenging and thought-provoking essay on an aspect of defamation law which is rightly under examination and development in many jurisdictions. It deserves attention.

PATRICK MILMO QC

*The Evolution of EU Law*. Edited by PAUL CRAIG and GRAÏNNE DE BÚRCA. [Oxford: Oxford University Press. 1999. ISBN 0-19-826481-X. xcii + 791 pp. ISBN 0-19-876508-8. No price given (Pbk).]

THE papers collected in this book provide a diachronic and interdisciplinary survey of all major areas of institutional and substantive EU law. While the essays are therefore wide-ranging in their subject-matter, they are united thematically, and in the approach adopted towards the specific topic dealt with. Each paper comprises a detailed study of the 'black-letter' law in the area under review, which it locates in an equally comprehensive analysis of relevant writings from other disciplines; and the papers are bound together by a shared concern with fundamental constitutional issues associated with EU law, including, notably, the implications of legal and institutional developments for traditional conceptions of democracy and political legitimacy.

Paul Craig introduces the reader to the book's recurrent motifs in his opening essay, in which he examines the empirical and normative tenets of neofunctionalist, liberal intergovernmentalist, and new institutionalist theories of Community integration. Grainne de Burca discusses the constitutional legitimacy of the EU in the light of the imbalance between the formal institutional framework laid down by the Treaties, and the actual practice of EU governance. Subsequent papers address alternative theoretical models of the Union in relation to the three Communities, and of the interrelationship between the internal and external dimensions of the EC's development.

The focus of the book then shifts to the nature of the fundamental legal order of the EU, which is discussed in papers on the concepts of direct effect and supremacy, and the contribution made by Article 177 references to shaping the course of European integration, while Carol Harlow traces the development of EC administrative law and highlights the respects in which it has failed to respond to the challenges presented by globalisation. The role of the Court of Justice in the Union is considered in two papers dealing, respectively, with remedies for breach of European law, and with the evolution of its powers of judicial review.

The remaining essays in the volume discuss discrete EU law subjects, including those covered in standard undergraduate courses, and other key topics such as EMU, consumer and regional policy, EU social policy, and the environment. Each of the papers is accompanied by a bibliography providing a comprehensive guide to key readings in the area of law discussed; and the book itself both provides an invaluable source of detailed information concerning EU law and institutions, while at the same time making a major contribution to current theoretical debates.

LISA BUSCH

*European Union Law*. 2 volumes. By DAMIAN CHALMERS (volume 1) and DAMIAN CHALMERS and ERIKA SZYSZCZAK (volume 2). [Aldershot: Dartmouth/Ashgate Publishing. 1998. Volume 1: lvii+611 pages; ISBN 1-85521-680-9 (h/b) £60; ISBN 1-85521-693-0 (p/b) £29.50. Volume 2: lxxii+758 pages; ISBN 1-84014-473-4 (h/b) £65; ISBN 1-84014-479-3 (p/b) £32.50.]

THE process of European integration has come a long way since the creation of Coal and Steel Communities. The political activism of the Commission and the Member States has in this process

been mirrored, and in some ways been surpassed, by the judicial activism of the European Court. As has become increasingly clear, far from being a 'tidal wave' or merely 'an incoming tide flowing up the estuaries of England', European law has permeated national legal systems and European norms now pervade national ones. This is why EC law, like no other topic, presents the writer of a textbook with the problem of where to start and what approach to take.

This work is to be commended for treating EC Law as a mature subject that is still affected by a multitude of influences but stands on its own. It does not concentrate on individual legislative provisions and an explanation of how they fit into the pre-existing national framework, but takes whole subject clusters and analyses how they evolved and what forces are continuing to shape them. The textbook is strongly interdisciplinary in its approach and draws on the full range of historical, social, political and economic sources, a dazzling variety of which are integrated into the text, to paint a vivid picture of the environment in which EC law grew up and continues to thrive.

The first volume deals with the institutional and constitutional aspects, and conveys with particular effectiveness the intellectual excitement and diversity of EC law. Noteworthy is especially the detailed account of the rôle of the European Court of Justice, which takes up close to half of this volume, which is entirely justified in view of the pre-eminent position that this institution has played in the development of EC law.

The second volume, dealing with the substantive aspects, of necessity attributes more importance to the central legislative measures but never loses sight of the central threads that unite them such as the tensions between regulation and deregulation and the vision of the EU as polity or as a process. In an impressive first half, the book deals with the dominant subject areas of recent times: the single market, citizenship, free movement and security, external relations and economic and monetary union. The second half completes the picture and treats what have traditionally been considered the foundations of EC law: the economic freedoms, social policy, tax and competition. As this enumeration reveals, some important areas are omitted, but this is entirely consistent with the approach of concentrating on the central exciting and intellectually challenging issues rather than to provide an encyclopaedia.

This work, stating the law as of October 1997 and January 1998 in volumes 1 and 2, respectively, is already beginning to show its age in some ways. There are some important recent developments, subsequent to publication, relating notably to the emergence of the Euro, the ongoing review of the provisions on competition and, of course, the Treaty of Nice. That should, however, in no way detract from the fundamental advantage of this textbook over many others, which lies in the fact that it conveys a true understanding of its subject, rather than merely a knowledge of the rules that make it up. As such it will be worth reading for many years to come.

CARSTEN ZATSCHLER

*Human Rights from Exclusion to Inclusion: Principles and Practice. An Anthology from the Work of Theo van Boven.* Edited by F. COOMANS, C. FLINTERMAN, F. GRUNFELD, I. WESTENDORP, and J. WILLEMS. [The Hague: Kluwer Law International. 2000. xiv + 503pp. ISBN 90-411-1377-0, £107. (H/bk.) ]

THIS book is a compilation of selected pieces of Theo van Boven's work which have been published elsewhere over the course of his professional life. It is thus appropriate, rather than to review the content of the specific chapters, to consider how they have been compiled by these particular editors.

The book is separated into various sections: a *General Overview of Human Rights*; the *UN System in General*; the *UN Commission and the UN Secretariat*; *Racial Discrimination and Freedom of Religion*; the *Right to Rehabilitation and International Criminal Tribunals*; *Peoples' Rights and Development*; *NGOs and Non-State Actors*; *Tolerance and Human Rights*; *European System*; and a final *Miscellaneous* section. The authors state in their preface that it is interesting