

Overall, it is no surprise that this book has generated a second edition within seven years of initial publication, in 1994. In a careful and unusually compelling way, it weaves together legal history, descriptions of important legal principles and institutions, and insights into jurisprudence. It should be read by all those considering citing Australian law in courts or classrooms, as well as teachers or students of comparative law or legal theory.

LUKE NOTTAGE

*Competition Law and Regulation in European Telecommunications.* By PIERRE LAROCHE. [Oxford: Hart Publishing. 2000. 466 pp. ISBN 1-84113-144-X £48.00 (H/bk).] and *Telecommunications: the EU Law.* By CHRISTOPHER WATSON and TOM WHEADON, with foreword by JOHN TEMPLE LANG. [Palladian Law Publishing. 1999. 448 pp. ISBN 1-902558-15-4. £65.00 (P/bk).]

THE two books shortly under review are in the area of telecommunications law. The first book is the original and brilliant thesis by Pierre Larouche which critically examines the foundations of EC telecommunications law. In four autonomous, however coherent, chapters Pierre Larouche perfectly combines theoretical-academic research with his experience as a former practitioner involved in the celebrated telecommunications cases *Atlas* and *Phoenix/GlobalOne*. The first chapter reviews the four regulatory models of the last ten years that finally resulted in the fully-liberalised model of 1998. The second chapter explains how article 86 (ex 90) EC became the main impetus for the liberalisation process of telecommunications sector. The author convincingly argues that, from a substantive and procedural perspective, this article cannot function as the principal guiding tool in the liberalised telecommunications market. The following chapter focuses on the role of competition law in the fully liberalised model. The author fiercely criticises the idea that competition law could become the main guiding principle for regulation. With an eye on the internal consistency and legitimacy of competition law, he warns of the risk for competition law 'of losing its soul in so doing' (p. 319). In the fourth chapter Pierre Larouche presents a strong case for long term sector-specific regulation in the telecommunications sector. Such economic regulation is justified on the basis of peculiarities of the sector (e.g. the presence of network effects and its public good character), as the author maintains. He sustains that, exactly in those cases in which the internal coherence and legitimacy of competition law is under pressure, it is adequate for sector-specific regulation to step in. In his view, regulation must be based on article 155 EC and exclusively aimed at the 'virtual network' (p. 369). Regulatory intervention is only necessary when supplier access, customer access or transactional access is threatened. Pierre Larouche is to be congratulated with his 'foray into academia' (p.xii) resulting in this stimulating thesis which definitely should be compulsory reference for policymakers.

The second book reviewed is by Christopher Watson and Tom Wheadon, two experienced telecommunications lawyers at Simmons & Simmons. Their book elegantly compiles the main EC and international legal documents governing the telecommunications sector, in a consolidated version. The book contains the most important documents from the relevant articles of the EC Treaty and the GATS to the 'Harmonisation Directives' (e.g. ONP Framework Directive, Leased Lines Directive) to the 'Liberalisation Directives' (e.g. Services Directive, Mobiles Directive) and a number of communications, notices and recommendations of the Commission (e.g. the notice on the application of competition rules to telecoms access agreements). The most valuable element of the book is undoubtedly its 'Key Word Index'. This immensely useful key word index of 57 pages (!) gives cross-references for any concept used in one of the listed directives or documents. The book is, therefore, extremely useful for anyone interested in telecommunications law. Hopefully there will soon be an updated version of this book.

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