

which has ultimately contributed to the malaise many Germans feel *vis-à-vis* their political system. This side of the story is completely under illuminated in Wallach's account; and, theoretically speaking, it has to be because in 'The Global Expansion of Judicial Power', there is no room for the civil society. Therefore, some accounts remain somewhat incomplete.

Despite this caveat, however, it should be underscored that Tate and Vallinder's collection is both a deliberate, thought-provoking and empirically interesting contribution to a very important issue.

Ulrich R. Haltern
Harvard Law School

Book Notes*

Winkelmann, Ingo (ed.), *Das Maastricht-Urteil des Bundesverfassungsgerichts vom 12. Oktober 1993*, Berlin: Duncker & Humblot (1994) 802 pages. DM 98; öS 765; sFr 98.

On 12 October 1993, the German Federal Constitutional Court (*Bundesverfassungsgericht*) cleared the way for the ratification of the (Maastricht) Treaty on the European Union by dismissing constitutional complaints contesting the Treaty's constitutionality.

The practical importance of the decision as well as its not so subtle invitation to self-reflection justify Winkelmann's project: a documentation of the whole legal and political process related to the Maastricht decision. Winkelmann carries out this task in an excellent manner. His collection of documents is thoughtfully compiled and edited with great care. Winkelmann brings together the legal documents exchanged by the parties to the case, the Court's catalogues of questions in preparation for the oral hearing, protocols from the hearing itself, the decision itself

and further related legal documents. The annex features official reactions to the Maastricht decision, amongst others by the German Chancellor, the Federal Government, and the *Bundestag*. In all these documents, the enormous tension transpires, resulting both from the practical issues at stake and from the emotionally, even morally charged in reaching questions of self-definition. The legal disguise and the dry semantics of this collection of credos cannot hide the fact that under the surface a battle over individual and collective identity is fought. Insofar the documents reproduced speak for themselves, and it might have been more impressive to leave them alone and indeed allow them to speak for themselves. However, Winkelmann adds an introduction to his documentation. While this may reduce the immediate effect of the documentation, the introduction is altogether very useful. Winkelmann summarizes the most important legal issues, the main points of the decision, and gives a little outlook (the contents of which are surely debatable). He adds a comprehensive bibliography listing all publications on the decision and beyond until mid-1994.

A special virtue of Winkelmann's documentation is the fact that it includes English and French translations of the Maastricht decision (as well as a Spanish translation of its head notes), thereby acknowledging its truly transnational repercussions. This book clearly enriches the discussion of the Maastricht ratification process and should be present on the shelves of every constitutional or European law scholar.

Ulrich R. Haltern
Harvard Law School

* Publication of a book note does not preclude subsequent fuller review.