

'comparative' filling which falls distinctly into the *Chez Nous* model: Distinguished authors explaining judicial protection of rights in the USA (Scalia), Canada (Iacobucci), Japan (Sonobe), India (Jeewan Reddy and Dhavan), Italy (Cheli and Donati), Germany (Grimm) European Convention System (Bernhardt). The contributors *are* distinguished and write with authority. Most are judges; it is always interesting to see what they think they are doing or at least what they would like us to think they are doing. But the *Chez Nous* genre pulls towards an annoying didactic tone (explaining to 'others', outside the system, how it works), towards description rather than analysis and towards celebration rather than critique. Many of the invitations in Beatty's thoughtful introduction are not picked up in the country studies.

In his preface Beatty writes: '... [T]he essays have been organized in such a way as to highlight both the principles and doctrines which are common to all systems of judicial review as well as those which are particular to and idiosyncratic of individual courts... At the end of the volume, readers ... will be left with the choice of deciding which model or precedent serves their purposes and circumstances best.' (viii) He also writes: '... [The national studies] ... are designed to shed light on the academic controversy over the legitimacy of what the courts have done so far and what it is appropriate to ask them to do.' (ix) These indeed are two issues of perennial topicality to which a comparative perspective could make a contribution. This volume could have become a re-examination in the 80s and 90s of the type of issues which, say, Cappelletti dealt with in the 60s and 70s. But to accomplish the goals set out in the preface it is not enough, frankly, to 'organize' and 'design' national reports. One expects in a book which carries the sub-title *Comparative Perspective* to go beyond the bland invitation to the reader to engage in actual comparative analysis itself. Alas, in this volume there is precious little comparative law which goes beyond

the setting up of a problematic – even if brilliantly – and then juxtaposing national treatments. There is no synthetic essay which tries, indeed, to build models and assess relevant national experiences in relation to others, nor is there a sustained discussion on the issue of legitimacy informed by the 'comparative' context rather than the jurisprudential debate. Legal theory is not synonymous with comparative law. Whilst legal theory flourishes, comparative law in the Anglo-American world is an endangered species.

Technically, the book is typical of the all too frequent combination of low production values (typos, distinct 'word-processor look', no index or tables or bibliography) and high price which characterize so many titles under the Kluwer flag.

JHHW

Boyle, James (ed.), *Critical Legal Studies*, Aldershot, UK: Dartmouth Publishing Company Limited (1994) liii + 602 pages. LSG25.

The *European Journal of International Law* has, we the editors think, become the most important publication in which a discussion on the theory of international law takes place. Readers who have followed that discussion in the pages of *EJIL* will know the importance which the American Critical Legal Studies Movement has had on certain strands in new international legal theories. Ironically, many European theories in the social sciences and the humanities have been introduced into legal discourse through American mediation. This volume has little to do with International Law though its editor has written with distinction in that field too. But it has an excellent introduction to the CLS approach and it provides as good an anthology as there is on CLS. At LSG25 it is a bargain. Recommended.

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