

interest to say on these matters. Coupled with some remarkably unappealing and unrevealing cover notes, one is left expecting better from Oxford University Press.

Although not a 'must-read' for anyone other than twentieth-century American social historians and childhood psychologists, Professor Tuttle has offered up a truly useful work that can provide an invaluable context for anyone interested in American foreign policy-making and politics in the 1980s, 1990s, and beyond. Additionally, we are given a brief but well-crafted overview of some pioneering work by a skilled historian. Particularly in the areas of ethnic identification and political socialization, one hopes that the author will produce other similar books.

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Hobe, Stephan (ed.). *Die Präambel der UN-Charta im Lichte der aktuellen Völkerrechtsentwicklung*. Berlin: Duncker & Humblot, 1997. Pp. 161.

This collection of essays constitutes the outcome of a symposium on the occasion of the 60th birthday of Professor Jost Delbrück of the University of Kiel. In the foreword, Dr Stephan Hobe (Kiel) introduces one of the main topics of the following essays. In his view, the Preamble constitutes a normative binding programme ('*normativ voll verbindliches Programm*'). Some contributors, including Professor Karl-Ulrich Meyn (Jena) and Dr Hobe himself, place their emphasis on the legally binding nature of the Preamble. In the opinion of others, such as Professors Hans-Joachim Schütz (Rostock) and Eibe Riedel (Mannheim), the Preamble rather contains aspirational ethical standards and basic values in need of concretization by legal rules.

The political scientist Professor Klaus Dicke (Jena) interprets the affirmation of faith in fundamental human rights as an express rejection of a positivist understanding of law towards an almost liturgical reaffirmation of common values and principles. He draws two concrete inferences from this interpretation: a plea for universal common interests against

national interests, and a statement in favour of the universality of human rights, which should in his opinion not be diluted in endless dialogue.

All the authors of this volume — with the notable exception of Professor Dicke — seem to feel at ease with an explicit Judeo-Christian understanding of the values underlying the Charter. Even if this may well be historically accurate, one would have liked to find a bit more on the problem of universality in light of the current discussion on fundamentalism and the threat of a 'clash of civilizations', especially in the contribution by the theologian Professor Lutz Rendtorff (Munich) on the ethical foundations of the Preamble. In line with this uncritical 'Western' standpoint is the optimism with which most authors see current developments, especially concerning the new role of the Security Council (Professors Dicke, Meyn and Riedel, Dr Hobe). Several contributors argue in favour of a broad, 'positive' reading of the notion of peace in the Preamble and in Chapter VII of the Charter.

Taking up a term coined by, among others, Professor Delbrück, several contributors aim at the establishment of a 'world internal law' dealing with human, not only state concerns. With its emphasis on human values, the Charter Preamble certainly constitutes the appropriate legal basis for such an endeavour — which, of course, takes us back to the discussion on its legal significance. Dr Ursula Heinz (Kiel) and Dr Hobe even go so far as to plead for an international corollary of the German constitutional 'social state principle'. Dr Heinz emphasizes the continuity of the UN world conferences and the implementation of the new Law of the Sea with the ambitions for a new international economic order of the 1970s, notwithstanding the change of economic philosophy which has taken place since. Applying Rawls' 'difference principle' to the international sphere, Dr Hobe argues that the Charter Preamble indirectly contains a similar approach to international distributive justice.

In his remarkable closing article, Professor Schütz uses the relationship between change and persistence, according to Luhmann's

systems theory, for his analysis of the idea of peaceful change in the Preamble, with its reference to the tension between justice and international law. For a concretization of this dichotomy, Professor Schütz examines Articles 1, 2, 14 and 55 of the Charter as well as UN practice. The articles are written in German, but contain an English summary and extensive references to both English and German literature. Less useful are the documents in the appendix, which bear only a scant relationship to the articles.

In general, this book constitutes a positive example for the inclusion of philosophical and political science perspectives in the legal analysis of the Charter. It offers some important insights into the values and aspirations of a 'new world order' which is continuing the tradition embodied in the Charter Preamble. For this project, the precise legal character of the Preamble seems far less important than the shaping of goals and values in the process of change.

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Andreas L. Paulus

Trebilcock, Michael J. and Robert Howse, *The Regulation of International Trade*. London and New York: Routledge, 1995. Pp. xii + 510.

Canadaphiles often say that Canada represents the best of Britain and the United States. An attractive combination. Canadaphobes, like George Bernard Shaw, whimsically retort that the opposing mix can also occur: The worst of Britain and the USA is something from which you would want to keep far away. In the case of this book, the Canadaphiles win. This is a very fine volume in the best tradition of the British law book and the American book about the law. It has it all: a concise but incisive analysis of the evolution of international trade theory and policy; a transcending structural analysis of the principal global (WTO-GATT) and regional trade regimes (EU, NAFTA) and then a magisterial march through the terrain of international trade law from the most classic

(tariffs, subsidies, antidumping, etc.) to the most innovative (e.g. investment, environment and intellectual property). The book picks up themes where other (trade lawyers) often do not dare to tread: Trade and Development and Movement of People to give but two examples.

One of the important virtues of the book is that it manages to provide a 'how to think about it' analysis of each of its topics without compromising a hard look at the positive law. Even the most experienced would profit from its insights. And as an accompaniment to a good set of Cases and Materials, it is hard to think of a better volume for students.

J.H.H.W.

Kuhn, Heike. *Die soziale Dimension der Europäischen Gemeinschaft*. Berlin: Duncker & Humblot, 1995. Pp. 451.

This doctoral study traces the emergence of the 'social dimension' of the European Community from the period before the Treaty of Rome to immediately following Maastricht. Kuhn finds that a 'social deficit' has gradually become a predominant concern of European policy. While the Community institutions were initially divided over both the desirability and the possibility of encouraging a European Social Charter, there have been strong attempts for a long time now to replace national social regimes with equivalents developing on the European level. Kuhn describes the differences and the changes in attitude of the institutions as well as of the Member States towards the adoption of European social policies. While social policy has been regarded traditionally as a predominantly 'national' concern, the book lays out the dynamics of a growing body of Community law, ranging from workplace safety to equal gender treatment.

Two aspects, in particular, of Kuhn's study make it rewarding reading. Firstly, she points to the ambivalent meanings of the term 'social' and the difficulty connected therewith