

integration, and one of the least explored, is the institutional impact of the European Union on its Member States. This edited volume, which brings together some of the top experts in the field, provides a much needed introduction to the topic by examining how the European Community has articulated national interests, how national bureaucracies have adapted to the European Union, and how European policy has affected domestic policies. The editors argue that the convergence of public policies in Europe is leading to 'a kind of co-operative federalism without a state' promoted by the emergence of a single European political agenda, a European space for new forms of interest representation, and European modes of operation among actors involved in public decision-making.

In a series of highly informative chapters, contributors to the volume demonstrate just how such convergence has affected policy-making within Member States. They show how, while all countries find their national bureaucracies increasingly taken up with European decision-making, some countries manage their relations with the EU more effectively than others, exercising more strategic influence where there is more centralized national coordination of EU decision-making. This is the case in France or Great Britain (where there is internal agreement on policy), by contrast with Germany, which nevertheless benefits from similarities with the EU in administrative culture, unlike France. They also discuss the effect of the EU's overriding focus on market-oriented policies, its lack of coordinated social policy, and the failure of European attempts at voluntaristic industrial policy, which have pushed Member States to deregulate while leaving them with full responsibility in the social policy arena and with little possibility for interventionist industrial policy. Most importantly, however, the different chapters make clear that whatever the European convergence of public policies, national institutions, policy styles and processes remain distinct, as does the European public sphere, which is itself not readily identifiable in terms of any single pre-existing

set of national institutions, policy styles or processes. Rather, the European Union's institutional form is highly variable across domains of competency and likely to remain so, while its emerging policy style will continue to be more flexible, heterogeneous, and issue-specific than any corresponding national style, with an open policy-making process managed by Commission officials in an anticipatory and consensual manner in which interest representation is sectorally structured and linked with a vast and somewhat incoherent network of national and Europe-wide groups.

In short, the European Union, as this excellent collection of essays makes clear, is much more than the sum of its Member States, since it is a new institutional complex in its own right that is also increasing the complexity of its constituent parts.

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Doern, G. Bruce and Stephen Wilks (eds). *Comparative Competition Policy: National Institutions in a Global Market*. Oxford: Clarendon Press, 1996. Pp. 398.

This volume consists of a collection of essays presented at a conference on Comparative Competition Policy in Ottawa (Canada) in 1994. It provides a comparative study of the political economy and the institutions of competition policy in six different jurisdictions. There are contributions by G. Bruce Doern, Stephen Wilks, B. Guy Peters, Kenji Sanekata, Roland Sturm, Lee McGowan and Michael J. Trebilcock, all of whom are prominent academics mainly in the fields of political science or law.

The book is structured in eleven chapters. The first two chapters provide an introduction and defines the conceptual framework of analysis as well as the scope of the study. The next six chapters explore the competition regimes considered to be the 'models' in market economy systems, namely the United States of America, Canada, Japan, the United Kingdom, Germany and the European Union.

In order to facilitate the comparative analysis, the authors cover similar issues for each system, including the historical construction of the regime, the basic legislation, the main powers, core actors and institutions, policy processes and major substantive cases. The last three chapters set the comparative dimension in the context of the globalization of economic activity and the internationalization of competition policy. Thus, the links with trade, investment and environmental policy, as well as the pressures for convergence, including the establishment of a new international institution to deal with competition policy, are also envisaged and discussed.

The comparative analysis of national competition regimes leads to the suggestion that competition policy is introduced for different political reasons and serves a distinctive role within each society. As Doern and Wilks conclude, the variations of timing of, and the motives for, the introduction of competition policy have then affected the extent of the six jurisdictions analysed, the fashion in which policy has been inserted into the institutional structure of the state, and the stringency of enforcement. However, the lessons to be drawn from this volume for the purpose of an international competition policy and institution are rather disappointing.

Although some aspects of the competition regimes discussed in this book have changed since the Ottawa Conference (e.g. in the United Kingdom), it continues to merit reading for the high academic quality of the contributions. The greatest strength of the book, however, is its novel approach to an issue traditionally dominated by the disciplines of law and economics. It offers a public policy analysis to deal with the role of institutions, policy processes and political priorities. This contributes to gaining an adequate understanding of such a complex and multi-disciplinary area as competition policy. The insights gained from political science and public administration clearly complement the legal and economic perspectives. This volume will therefore be invaluable for policy-makers and scholars, and will surely be helpful for practitioners.

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Guyaz, Alexandre. *L'incrimination de la discrimination raciale*. Berne: Editions Stämpfli & Cie S.A., 1996. Pp. 335.

In a thesis successfully submitted for the degree of Ph.D in Law at the University of Lausanne, Alexandre Guyaz analyses the new Article 261 bis of the Swiss Penal Code, which makes punishable the public incitement to racial hatred or discrimination. This article came into effect on 1 January 1995. Its introduction caused a heated debate in the Swiss Federal Assembly and required the consent of the Swiss people by way of referendum.

After an explanation of the etymology of the term 'race' and a review of various racist theories, the author addresses the subject in light of public international law. To this end, he conducts a thorough analysis of various international conventions, such as the Charter of the United Nations (1945), the European Convention on Human Rights (1950), and the International Covenants of 1966. Then he turns to the 1996 International Convention on the Elimination of All Forms of Racial Discrimination and shows how Switzerland's adhesion to that Convention motivated its adoption of the new Article 261 bis of the Penal Code.

The second part of the book focuses on a comparison between the solution adopted by the Swiss Penal Code and the options retained by two of its neighbours, France and Germany. In the third and final part of the book, strictly confined to Swiss law, the author presents penal law as a possible remedy for racism and xenophobia. In so doing, he analyses the different conditions, hypothesis and justification for 'punishment as a cure' before going on to address the problem of the boundaries of such punishment by civil liberties or constitutional rights such as freedom of speech. This is probably the most intellectually stimulating — and controversial — part of the book. It raises an essential question: