What constitutes an adequate antidote to racial discrimination? Should it be solely punishment or a carefully weighted combination of punishment and education? The author favours the former option, without however addressing the latter. Be that as it may, Mr Guyaz's thesis is well structured and well documented. The range of his analysis, which touches Swiss law as well as international and European law, makes it a valuable work not only for Swiss lawyers but also for foreign lawyers willing to learn about — and meditate on — racial discrimination.

Laurence Burger *Frank Attar*
Paris, France

Martin, Pierre-Marie. ***Les échecs du droit international***. Paris: Presses universitaires de France, 1996. Pp. 128.

Pierre-Marie Martin, Professor at the University of Toulouse 1 (France) has written a short book on the setbacks of public international law. After a brief introduction — containing judicious remarks on the oft misused concept of *international community* — the first part of the essay deals with the failure of the international law-making process. Exclusively centred around treaties and resolutions of international organizations, the study is well conducted, though one may be disappointed to find that the analysis does not cover important topics such as custom, general principles, unilateral acts of states and judicial decisions.

The second part of the book tackles the failure of the implementation of international law. The first chapter in this part studies the obstacles erected by the sovereignty of states. This is followed by an analysis of the difficulties — to say the least — relating to the efforts to suppress the use of force in international relations. Finally, a third chapter explores the uncertain implementation of the so-called international law of development. The topics examined in these first two chapters, although well chosen, do not provide a comprehensive coverage of the issue. They do, however, offer an acceptable overview. The chapter on the international law of development, on the other hand, deals with an area of law that is far from being universally accepted and determined. Therefore, one may question whether it was worth occupying nearly a quarter of the book with this subject at the cost of other essential matters, such as the debate on the efficiency of international justice.

Published in a series intended for the general public, this essay does not provide particularly useful material for the experienced international lawyer. A sound — though incomplete — criticism of public international law, it does not particularly stand out among similar — and often more stimulating — works. Still, the law student already familiar with the basics of public international law may find in this accessible volume some interesting, albeit not original, thoughts on the imperfect generation and implementation of the rules of the 'international judicial order'.

Paris, France *Frank Attar*

Paye, Olivier. ***Sauve qui veut? Le droit international face aux crises humanitaires***. Brussels: Bruylant and Éditions de l'université de Bruxelles, 1996. Pp. 313.

In this interesting volume Olivier Paye, assistant professor at the University of Brussels, examines the present state of international humanitarian law.

The author begins by exploring the international law of humanitarian *assistance* in the first two chapters. The presentation is structured around the rights and duties of the *assistant* states and the *assistees* (i.e. the territorial sovereigns that benefit from humanitarian assistance). The primacy of the state — a 'classical' postulate — is the cornerstone on which Mr Paye bases his analysis. This is particularly obvious in the first section of the second chapter, where it is emphasized that no assistance is possible without the express consent of the assistee. One may question this rather drastic thesis. Yet it is probably the view which best reflects the current rules of

international law as well as the realities of the international society.

This choice becomes even more evident in the two chapters devoted to the international law of humanitarian *intervention*. Here, the opinion advocated by the author can be expressed in two simple sentences: first, no humanitarian reason may justify the use of force against another state (except, of course, if the said state consents). Second, only the United Nations (and, more particularly, the Security Council) may resort to armed intervention in order to solve humanitarian issues. Here again, one can only concur with these conclusions for they are visibly detached from oversimplistic ideological options and are inspired by a realistic observation of the international society and its constraints. Yet, as a result of this realistic approach, the book suggests a dilemma — well known to most international lawyers — which the author fails to address: If the legitimate use of force belongs to the UN and the UN is apparently unable to efficiently exercise that prerogative, is there *really* an international law of humanitarian intervention?

Despite this slight reservation, the book is worth reading. Its main positive quality — apart from being a rigorously documented and quite comprehensive inventory — is to draw a clear semantic line between the law and the pseudo-legal farrago which improperly, and much too often, mixes legal language with a large dose of demagogy and wishful thinking. Indeed, and as deplorable as this may be, the so-called *right* of humanitarian intervention is not a legal category.

Paris, France *Frank Attar*

Xuereb, Peter G. and Roderick Pace (eds). ***The European Union, the IGC and the Mediterranean***. Malta: European Documentation and Research Centre, University of Malta, 1996. Pp. 318.

The reviewer of a book with this very wide-reaching title knows in advance that this must be a collection of papers prepared for a catch-all conference. What the reader cannot imagine in advance is that some contributions to this lengthy volume do not even fall under the broad title given to it. For instance, one may ask what papers on 'Telecommunications and EC Law' or 'Public Procurement in Europe' have to do with the most recent IGC. Neither should the word 'Malta' or 'Maltese' in the title of a paper allow for automatic inclusion in a book focusing on the Mediterranean and the most recent IGC. Such is unfortunately the case of two very tedious pieces crammed at the end of the volume dealing with, of all things, Maltese central and private banking practices and their possible revision in the event that Malta should accede to the EMU.

Notwithstanding, one can only commend the work of the editors in their interesting and informative introduction, which neatly sums up the book's contents. The papers derive from a conference held well before the conclusion of the last change of government in Malta (which may explain the editors' selection of papers) and, more importantly, prior to the Treaty of Amsterdam.

As always in this kind of *ex-ante* exercise, some authors try their hand at predicting the outcome of the IGC leading to the Treaty and are completely off target (e.g., at 50). Of course, as we know now, what came out in the end of the last IGC did not bear much resemblance to what was initially scheduled. Readers therefore need to show understanding for these authors.

This being said, the level of most of the contributions veers to the high side and the editors and organizers of the conference should also be commended on this score. Two articles by John Redmond, University of Birmingham, are particularly noteworthy. The first article, on the problems and prospects of CFSP, is very incisive, inquisitive and caustic at places, all based on the observation of some empirical regularities, something quite typical of British scholars. The second one focuses on the Mediterranean aspects of the next Enlargement, setting it in a broader context, thereby introducing the reader to the virtues, but also the negative implications, of 'variable geometry'.