

COMMON MARKET LAW: FIRST SUPPLEMENT. By Alan Campbell and Dennis Thompson. [London: Stevens. 1963. xvi + 196 pp. £1 5s. 0d.]

COMMON MARKET LAW REVIEW. Ed. I. Samkalden and Dennis Thompson. Vol. 1, No. 1. [London: Stevens. 1963. £5 p.a.]

CASES AND MATERIALS ON THE LAW AND INSTITUTIONS OF THE ATLANTIC AREA, with a separate Volume of Documents. By Eric Stein and Peter Hay. [Ann Arbor: Overbeck Co. 1963. Vol. 1, xix + 457 pp; Vol. 2, 183 pp.]

With the establishment of Malaysia and the prospect of a common market, lawyers as well as economists in the Malaysian territories will increasingly have occasion to refer to the law and practice of the common market in Europe. The first major work in English on *Common Market Law* was published by Messrs. Campbell and Thompson in 1962 when it appeared that the United Kingdom might be joining Europe (see this *Review*, vol. 4, p. 335, 1962). At the beginning of 1963 the learned authors felt it wise to bring out a First Supplement to carry the story forward to the end of 1962. Not only had there been a Ministerial Meeting in Brussels in August 1962, but there had also been a number of judicial decisions by the European Court, of which the most famous are perhaps those of *Lawless* and *De Becker* alleging breaches of the European Convention on Human Rights against Ireland and Belgium respectively.

Although the non-entry of Great Britain into the European Common Market will, until such entry ensues, reduce the significance of Common Market Law for common law countries, the value of the European experience cannot be overlooked. It is to be hoped, therefore, that the learned authors will continue to keep their initial volume up to date with Supplements, with paragraphs numbered in accordance with those in the original work. It may be hoped, however, that the next Supplement will bring the index as well as the text into line with developments.

*Common Market Law*, valuable though it is, only tells part of the story for it

is an analysis of the constituent treaties. The first issue of the *Common Market Law Review*, published under the joint auspices of the British Institute of International and Comparative Law and the Europa Instituut of the University of Leyden, shows that the problems for the lawyer are far wider than this. It is true that in Malaysia there will not be the same problems of adapting one system of law to another as there is in Europe. Nevertheless, lawyers here will find much to interest them in this *Review*. Perhaps the articles that will appeal most locally are those by Dr. Donner, the President of the European Court, on 'National Law and the Case Law of the Court of Justice of the European Communities'; by Dr. Deringer on 'The Distribution of Powers in the Enforcement of the Rules of Competition under the Rome Treaty'; and by Mr. Barnes on 'Professional Confidence'. At a time when there is discussion on adapting local law to modern conditions in the light of sections 3 and 5 of the Malaya Civil Law Ordinance and section 5 of the Singapore Ordinance, Malaysian lawyers will also be interested in the remaining articles on the draft European Patents Convention (Johnston), harmonisation of turnover-taxes (Antal), and the reform of company law in Britain (Pennington).

Malaysia, it is hoped, will lead to the wider international forms of Maphilindo, and for some Europe is regarded as the precursor of an Atlantic community. One of the major problems in further integration will be the interplay of constitutional processes as well as the adjustment of local needs. Any attempt to understand these adequately demands a comparative approach, with the inevitable language difficulty that this involves. Professors Stein and Hay have gone a long way to making this task easier by their collection of *Cases and Materials on the Law and Institutions of the Atlantic Area*.

While the issues they discuss concern western institutions, the problems underlying them will arise wherever attempts at international consolidation are made. Thus, the Maphilindo countries will find much in Part IV of Chapter I to interest them, for they, like Europe, will be greatly concerned with the impact of their institutions upon non-member States. They will also learn much from the constitutional and judicial changes that have proved inevitable in the countries of the European and Atlantic organisations. Again, in view of the differing social and political philosophies of the proposed participants, much may be gained from the materials reproduced here on civil rights, as well as on the co-ordination of economic and social, and military and political policy. Enough has been said to indicate the width of appeal of this work. From the point of view of the teacher, its value is enhanced by the questions appended to the various sections, although these have been drafted with a view to enabling them to be used in an American context. However, they will prove a useful guide for those wishing to adapt them to another legal environment, and will enable postgraduate students to adjust their thought and research to developing situations.

The second volume consists of Documents relating to the institutions of the Atlantic area. Here will be found the texts of the European Treaties, as well as the Community's Antitrust Law and its General Programmes for the Removal of Restrictions on the Freedom of Establishment and the Free Supply of Services. In addition, there are the treaties establishing such related institutions as EFTA, GATT, NATO and the Organisation for Economic Cooperation and Development. Frequently, modern international institutions cannot be properly understood without examining the inter-relationship of national legislation with some bilateral treaty. This is particularly true in Europe, and the learned authors reproduce the text of the American Trade Expansion Act of 1962 as well as of the 1957 treaty of friendship, commerce and navigation between the United States and Norway.

These two volumes are described as being, in their present paper-covered form, a 'preliminary edition'. It is to be hoped that the final form will soon appear. When it does, perhaps the publishers can be persuaded to increase the size of print and improve the format of most of the material in the Documents volume. At present it will strain the eyes and the patience of anybody trying to use it.