

INTERNATIONAL LAW. By D.W. GREIG. [London: Butterworths. 1970. xx + 728 pp.].

This book is a refreshing addition to the existing general works on public international law. The scope of its contents is broader than most other books and the author has a style which facilitates comprehension of even the more complicated areas of international law. In this sense, this work will be particularly beneficial for students. Further, there is a laudable effort on the part of the author to relate the principles of international law to contemporary events and situations and there are, for instance, ample references to the Cuban Quarantine, the 1967 Arab-Israeli armed conflict and the Vietnam war.

The author claims two principal aims for this book. First, to survey both the general law of peace and the law of international institutions within the same framework and, secondly, to provide a far more detailed treatment of the subject matter than is given in most one-volume texts. His words of limitation ("the general law of peace") are misleading in so far as he devotes one whole Chapter to "The Use of Force by States".

There are three Chapters which, in this reviewer's opinion, are especially impressive. Chapter 2 *International Law and Municipal Law* explains with clarity rarely achieved by other authors the complex relationship between international law and municipal law. Chapter 6 *Jurisdiction I: Territorial Jurisdiction* is outstanding for the comprehensive manner in which the author deals with exemptions to territorial jurisdiction and for the lucid summary of United States and United Kingdom practice in this area. Chapter 10 *International Claims I: State Responsibility* (a topic which is not often treated in depth in other books) is very good for its presentation of the different bases of international claims as well as for its concise consideration of the exhaustion of local remedies doctrine.

The reader who is interested in exploring certain topics in greater depth will, however, be disappointed in the very scarce references given by the author to important scholarly writings (books or articles). For instance in Chapter 9 on *Treaties*, when discussing the question of *jus cogens*, no reference is made in the text or in footnotes to the exchange of views between Schwarzenberger and Verdross [Schwarzenberger "International Jus Cogens" 43 Texas Law Review 455 (1965); Verdross "*Jus dispositivum* and *Jus Cogens* in International Law" 60 A.J.I.L. 55 (1966)] or to Schwelb's article, "Some Aspects of International *Jus Cogens* as Formulated by the I.L.C." 61 A.J.I.L. 946 (1967). Again, in Chapter 7, *Jurisdiction II: Maritime and Air Jurisdiction*, when the author deals with the Cuban "quarantine" there is no reference to articles such as Quincy Wright, "The Cuban Quarantine!" 57 A.J.I.L., 546 (1963) and McDougal "The Soviet-Cuban Quarantine and Self-Defence" 57 A.J.I.L. 596 (1963).

In Chapter 5 *State Territory*, the contemporary flavour of the book is not maintained when, in discussing acquisition of territory, the author fails to mention the Philippine claim to sovereignty over Sabah. This is especially noticeable when it is observed that the author (p. 130) specifically discusses the relevance of self-determination to the acquisition of territorial sovereignty. (The self-determination of the peoples of Sabah is one of the major arguments which Malaysia has in its favour). The author does not regard self-determination as having acquired the character of legal obligation but feels that "it is a potent political factor... no account of contemporary international law is complete without reference to it...".

In the same Chapter there is also a discussion of Annexations and Cessions imposed by force. The author cites with approval Jennings who states "... it would be a curious law of self-defence that permitted the defender in the course of his defence to seize and keep the resources and territory of the attacker." The author, in Chapter 5, does not refer to the legal problems posed by Israel's continued occupation of Arab territories after the 1967 war. But he does discuss this in Chapter 16 *Use of Force By States* and while confessing that legal principles provide inadequate criteria he concludes (p. 683) that "... self-defence clearly could not justify a purported annexation of such territory". His discussion of this important problem seems rather incomplete because of his failure to refer to, and discuss, important United Nations decisions on the question, in particular, Security Council Resolution 242 of 1967 which, *inter alia*, emphasized "the inadmissibility of the acquisition of territory by war" and called for the "withdrawal of Israeli armed forces from territories occupied in the recent conflict".

In Chapter 12 *International Organisations I: Membership, Structure and Voting*, there is good discussion of abstention and absence in relation to voting in the Security Council. Discussion here would have been far more interesting and comprehensive if he had mentioned the issues which, as some urge, have arisen as a result of the amendments to the United Nations Charter: See Gross "Voting in the Security Council: Abstention in the post-1965 Amendment Phase and its impact on Article 25 of the Charter" 62 A.J.I.L. 315 (1968).

In the same Chapter, the reviewer noted that A.S.E.A.N. (Association of South-east Asian Nations), one of the very few regional organisations in South-east Asia, is not mentioned.

The question of human rights is treated rather cursorily in Chapter 14 *International Organisations III: Functions and Powers Relating to Economic and Social Matters including Human Rights*. But even in this restricted discussion there is a distinct imbalance: only one and a half pages deal with the role of the U.N. in human rights matters while more than double that space is devoted to a consideration of the European system concerning human rights. There are many aspects of U.N. activities in the area of human rights which should have been covered especially when the entire world community is (or could be) affected by U.N. activities while the European Convention (with its machinery) concerns a limited number of States.

In addition, when mentioning the human rights conventions the author points out (p. 615) "that until recently these have never progressed beyond the draft stage... In December 1966 however the two human rights covenants were opened for signature...." One wonders whether the author does not regard as significant (since he does not mention it) the 1965 International Convention on the Elimination of All Forms of Racial Discrimination which not only progressed beyond the drafting stage but was adopted for signature and has *entered into force* with effect from January 1969.

(One small error in reference is made in an earlier Chapter III, p. 93, footnote 12, where reference is made to the "U.N. Convention on Human Rights of December 1966". One must assume that the intention was to refer to the *Covenants*.)

In Chapter 16 *Use of Force By States* he discusses The Right to Wage War, The U.N. Charter and the Concept of Aggression, Self-Defence and Civil War. Unfortunately there is no discussion of the various Geneva Conventions of 1949 or the recent important Privy Council decisions on prisoners of war: *P.P. v. Oie Hee Koi* [1968] 1 M.L.J. 148 and *Osman v. P.P.* [1968] 2 M.L.J. 177.