

INTERNATIONAL LAW. 2nd Edition. By D.W. GREIG. [London: Butterworths. 1976. xxi+944 pp. Case—£18.00, Limp—£12.00 net.]

The second edition of Greig's international law textbook attempts, in the same way as the first edition, a survey of "both the general law of peace and the law of international institutions". The layout of the book remains essentially the same as the first edition (reviewed in (1970) 12 Mal. L.R. 384). Not only has the book been updated in the sense of incorporating new court decisions and conventions but also the author has not hesitated to reflect incremental changes in emphasis, rather than strict law, where these have occurred.

The major area of weakness from the standpoint of the student is in discussion of the Law of the Sea. Inevitably any book must have a cut-off date and this can cause some distortion in rapidly changing areas of the law. Greig incorporates UNCLOS (United Nations Conference on the Law of the Sea) materials for the summer of 1975 but, as will be realised, the situation is so volatile, a student would be unwise to rely on the book as an up to date exposition. Bearing in mind the extensive coverage of the Law of the Sea in current journals it might have been preferable to expound in greater depth the historical foundations of the subject and thus provide a solid base for review of the day to day developments. As an example let us look at the territorial sea. It is not correct to assume that three miles (or the Scandinavian four miles) was based on any impelling logic or that the original extensive South American claims are a new extravagance. At the time of James 1, England made very extensive claims to maritime areas (The King's Chambers) and the early discussions about more limited breadths revolved around the

firing range of the cannon (Bynkershoek 1703 *De Dominio Maris*) and visibility from the land ("landkennis"). While these ideas may have crystallized into the "traditional three mile limit" they are bases which may well be questioned today! In any case, discussion of the historical bases for rules of law in this area (such as one may find in Gidel *Le Droit International Public de la Mer. 1932/4*) would help a student to understand how practical and policy considerations affect the present debate. Without such understanding the student is hard pressed to comprehend the sort of argumentation used in texts such as Myres. S. McDougal and Burke (*The Public Order of the Oceans 1962.*). For these reasons, therefore, I feel that Greig should have placed emphasis on historical development rather than on an exposition which, through no fault of his own, is of limited value.

The updating of this book has, as I have said, been sensitively achieved in many areas. The increasing influence of the underdeveloped and ex-colonial states is reflected for example in the principle of self-determination. That principle is clearly stated as a purpose of the United Nations Charter Art. 1(2). (Its contested parenthood see G.I. Tunkin, *Theory of International Law* p. 9 fn. 17, should not detain us!). Its status as either a principle or a binding legal norm is, as so often in International Law, a source of great difficulty and controversy. A tiny example of Greig's perceptiveness is illuminating. The first edition states that, given no treaty or mandate or trusteeship agreement exists then: "the territory of a non self-governing community must be considered subject to the dominion of the colonial power" (p. 143). The second edition, however, goes on: "Whether this view remains tenable in the rapidly changing economic and political world of the 1970's is doubtful. It would seem to be a logical corollary of the right of self-determination that ultimate sovereignty is vested in the people entitled to exercise that right. Hence, acceptance of the principle of self-determination as a legal norm is antithetical to the notion of sovereignty being vested in the colonial power." (p. 179). While a detailed jurisprudential analysis is beyond the scope of the book Greig suggests in this second edition the direction in which the law is heading and the implications which result.

The volume as a whole provides a good survey of its two areas (bearing in mind my reservations on the section Law of the Sea) but it still lacks adequate reference to the works of other writers. A good, if slightly out of date, source of reading material references is the *Manual of Public International Law* edited by Max Sørensen.) Greig's *International Law* should continue to be seen as a valuable textbook which handles difficult issues with awareness, albeit an awareness based strongly on American and English sources.