

BOOK REVIEW

INTERNATIONAL ENVIRONMENTAL LAW AND WORLD ORDER
by Lakshman D. Guruswamy, Sir Geoffrey W.R. Palmer and Burns H.
Weston (West Publishing Co., 1994, 1199 pages plus a Supplement of Basic
Documents, 1308 pages).

Reviewed by *William A. Mogel**

A litany of dismal happenings—global warming, ozone layer depletion, desertification, destruction of biodiversity, acid rain, and nuclear and water accidents—are but some of the subjects covered by “International Environmental Law and World Order,” a “problem solving” casebook authored by three educators, one of whom is a faculty advisor for this publication.

This new book makes the obvious, but important point, that environmental¹ issues are not limited by national boundaries—a “spurious anachronism.” A second compelling reason for this work is to define the boundaries of a discipline that is less than twenty-five years old. The authors accurately observe that, until recently, international environmental law has been “overshadowed by its prominent parents, International Law and Domestic Energy Law.” Despite its acknowledging the latter, however, “International Environmental Law and World Order” does not discuss “oil or gas” law or the difficult environmental questions arising from the development of an oil or gas project. Clearly, the interdisciplinary approach of the text would be critical in balancing energy and the environmental considerations.

“International Environmental Law and World Order” is divided into three parts. The first three chapters of Part I discuss the basic principles of traditional international law without any reference to environmental issues. The fourth and final chapter of Part I is unique and departs from the traditional casebook approach. It is entitled “The Global Environmental *Problematique*” and offers significant writings on disparate subjects, such as anthropocentrism, ecology, overpopulation, the atmosphere, the hydrosphere, the lithosphere (land and soils), economics, feminism, and ethics.

Part II, comprised of seven chapters, deals with hypothetical problems (as distinguished from cases) that affect various aspects of the environment *vis-à-vis* “the norms, institutions, and procedures through which the inter-

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1. Happily, this book offers the etymology of “environment.” It is “derived from the French words *environ* or *environner*, meaning ‘around,’ ‘round about,’ ‘to surround,’ ‘to encompass.’” LAKSHMAN D. GURUSWAMY ET AL., INTERNATIONAL ENVIRONMENTAL LAW AND WORLD ORDER 221 (1994).

national legal system" operates. Of special interest is Chapter Six which is entitled "Managing the Global Commons in Antarctica." After an interesting non-legal discussion of this unique continent, Chapter Six launches into a problem involved in mineral exploration activities in one of Antarctica's dry valleys. Overlaid are issues raised by tourism, seal hunting, and various treaties.

The remaining chapters in Part II are: "Problems in Protecting the Atmosphere," "Problems in Protecting the Lithosphere," "Problems in Protecting the Biosphere," and the formidable "Problems in Protecting Against Particular Human Behaviors."

"International Environmental Law and World Order" concludes with two chapters dealing with the future—Chapter 12 queries the reader with regard to the impact of a UN protocol on the controversial issue of global warming, and Chapter 13 discusses normative, institutional, and procedural options that may affect the future of international environmental law.

Applying the standards of one who attended law school thirty years ago, "International Environmental Law and World Order" would fail the classification of a text. The book focuses on "issue-spotting, problem-solving, and synthesis" over the "assimilation and comprehension of raw, disembodied knowledge." However, paraphrasing the words of Maurice Strong, Chairman, Ontario Hydro, "International Environmental Law and World Order" helps to:

[M]anage our common future on this planet, [for which] we will need a new global legal regime based essentially on the extension into international life of the rule of law, together with reliable mechanisms for accountability and enforcement that provide the basis for the effective functioning of national societies.

In sum, although a "hard read" the authors of "International Environmental Law and World Order" should be commended for venturing into new lands with a novel, interdisciplinary approach.