

Henry Murdoch, *A Dictionary of Irish Law*. (Revised 2nd ed.), Glenageary: Topaz Publications, (1993) 596 + xiii pages. £33 paper, £48 hardback.

The Dictionary of Irish Law provides a basic and comprehensive introduction to the Irish legal system. Its emphasis is distinctly provincial with a primary focus on the substantive areas of domestic legal regulation.

The book is organized on a strictly definitional basis, working its way alphabetically from legal terms in common use derived from local practice to those borrowed and imported from other jurisdictions. The strength of the book is that it provides a concise source from which the perimeters of Irish law can be constructed. Its understandable limitations are the brevity of its discussion and a lack of critical appraisal of issues relevant to those structures.

The focus on international and European law is limited. The legal relationships of the Irish state with the European community, the United Nations and various international human rights instruments are all functionally described in the text. This approach serves a useful purpose for the reader unfamiliar with basic structural information pertaining to international organizations and treaties. However, this limits the value of the work for the internationalist seeking knowledge on distinctive statutory and judicial responses to international obligations within the Irish jurisdiction. The descriptive approach avoids mention of the constitutional and political difficulties created by Ireland's membership in the European Community and its ratification but non-incorporation of the European Convention on Human Rights into domestic law. The lack of such discussion limits interest for the reader seeking to ascertain the response of the Irish legal system to supra-national legal dialogue. Nonetheless, the dictionary provides a comprehensive starting point from which to assess the domestic legal system.

Combined with other specialist sources, it may be used to contextualise the interplay of the international legal order with the local.

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Jalil Kasto, *Ius Cogens and Humanitarian Law*, Kingston: published by the author (1994) 93 + v pages, Index. \$20; £12.

The concept of *ius cogens* refers to superior international legal norms of a constitutional (and some may argue for a supra-constitutional) order. As such it may be expected to serve as a stabilizing element within the international legal system. Yet, the list of international legal norms which enjoy the status of *ius cogens* is hotly debated and far from being settled. The area of human rights is one of the battle-grounds on which proponents of a broad scope of *ius cogens* and their opponents clash.

Jalil Kasto's book purports to examine whether international humanitarian legal norms can be regarded as enjoying the status of *ius cogens*.

Unfortunately, the book does not contribute to our understanding of *ius cogens*, in general, and its interaction with humanitarian law, in particular. The arguments put forward in the book are not backed by serious theoretical discussion. Furthermore, most of the author's conclusions are mere restatements of his assumptions. Indeed, the author fails to further the reader's thinking even in the direction which he claims to be the main issue of the book, i.e., 'to answer finally, if humanitarian law could be considered as norms of *ius cogens*'. His analysis of this question leads to no real conclusions.

The research for the book also seems to be substantially lacking. A look at the bibliography and the footnotes reveals the absence of many basic sources regarding both *ius cogens* and humanitarian law.

The author's use of many terms-of-art in international legal studies is in many cases inaccurate and self-contradictory. Thus, for example, the term 'humanitarian law' is used indiscriminately in the book to refer to, *inter alia*, humanitarian law of armed conflict, international human rights law, any norm connected to human welfare, norms which stand above and outside international law, norms which are part of international law, moral dictates, etc.

In sum, the book's treatment of this important issue of international law is unimpressive.

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Michael R. Horten and Philippe Sarrailhé, *Les Joint-Ventures Franco-Américaines (Aspects juridiques et fiscaux de l'établissement d'une filiale commune aux U.S.A.)*, Paris, Bruxelles: Larcier (1994) 408 pages. FB 3.300.

This book is aimed at the prospective French businessperson envisaging a joint venture in the United States with a US firm. The various business steps and procedures preceding the conclusion of an agreement are addressed. Caveats a businessperson must keep in mind when entering such an agreement are laid out in a clear and comprehensive manner designed to increase the potential joint venturer's confidence. The reader will be more aware of the limits of the legal risk that such an operation entails and the steps to take to reduce these risks. Whereas the bulk of this text is a general overview, the annexes contain samples of the different contracts involved, giving a precise idea of what the actual rights and duties will be in real life. This book is recommended to French lawyers as it will serve as a valuable resource for introduction to US business law.

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Edward McWhinney, *Judge Shigeru Oda and the Progressive Development of International Law*, Dordrecht, Boston, London: Martinus Nijhoff Publishers (1993) 666 + xvii pages. \$175; £123.50.

According to the author, this is the first book in a series dealing with leading international judges. This book analyzes the contribution of Judge Oda to the jurisprudence of the International Court of Justice (ICJ) and to the development of international law. The analysis seeks not only to deal with the specific content of each of Judge Oda's decisions on the bench, but also to draw a broader picture of his, and the ICJ as an institution, judicial philosophy.

The combination of Judge Oda's career stops – a diplomat, an international law scholar (expert on the law of the sea), and a judge on the ICJ – and his legal education – exposed to European continental influences as a student in Japan, and to American influences as a graduate student at Yale Law School under the supervision of Professor McDougal – is enough, in itself, to make the book fascinating reading.

The book's strength lies in the original task undertaken by the author, which he carries out well. The major weakness of the book is that which is missing from it. The author explains on several occasions that the episodic, hit-or-miss nature of the ICJ agenda, and the relatively small number of cases brought before it, makes it difficult to fully comprehend the legal and judicial philosophy of the judges, in general, and their approach to specific areas of international law, in particular. In other places, the author emphasizes the extra-judicial scholarly work in which Judge Oda has been engaged throughout his career. However, the book fails to put the two together and to examine Oda's extensive scholarly work in order to complete the picture painted by judicial decisions. In that respect the book focuses on Judge Oda, without taking advantage of the