

BOOK REVIEWS

BASIC COMMUNITY LAWS—Edited by Bernard Rudden and Derrick Wyatt: Clarendon Press - Oxford, 1980. Pp. 301.

For classroom use, the editors of *Basic Community Laws* state that "the Treaties [establishing the European Communities] are too much and not enough." One could not agree more. The Treaties of Paris (1951) and of Rome (1957) have been modified and amended many times. Moreover, in many areas, it is the "secondary legislation" created on the basis of sometimes inconspicuous Treaty provisions that spells out substantive Community law.

The editors have presented in Part I an updated version of the Treaty establishing the European Economic Community (EEC). Part I includes all the Treaties, Conventions, and Acts that make up the "constitutional law" of the EEC. The texts are given in their original form, but also included within the texts are amendments to the original, and the final version of the Treaties as of January 1, 1981, the date of the accession of Greece to the European Communities. An appendix includes the provisions that could not be included within the text. The Euratom Treaty is not published in this volume, but a table of concordance allows the reader to find the equivalent EEC article. The Coal and Steel Community Treaty is represented with its institutional and general provisions.

Part II contains a selection of acts of secondary legislation. The Freedom of Movement for Workers and the Right of Establishment and the Freedom to Provide Services are represented by their basic regulations or directives. In regard to social policy, the important directives on equal pay and equal treatment are published. Competition law ("Antitrust") is represented by Regulation no. 17 and some additional texts. As for the common agricultural policy, the basic regulation for cereals is included. The final ten pages of the compilation contain various United Kingdom materials, including the UK European Communities Act of 1972 as amended.

It would be easy, and unfair, to criticize the authors for the secondary legislation material selected. "Antitrusters" could say that the list of material published in E. Stein/P. Hay/M. Waelbroeck, *Documents for European Community Law and Institutions in Perspective* (1976) regarding antitrust is longer; "agriculturists"

would have appreciated more material on the common agricultural structural policy. However, the editors chose to limit their volume to 300 pages, and in so doing they were compelled to neglect such areas as company law, regional policy, environmental actions, and energy policy. Nonetheless, the important point is that their selections are defensible. Whoever works his way through these texts, or even better, whoever is led through it by an academic teacher, will acquire a feeling for the operation of Community law in varied fields.

The critical comments to be made are minor. The citations in the footnotes do not always follow identical patterns. Some are taken from the British Treaty Series, where it would have been possible and preferable to take them from the publication of the Communities proper, *i.e.* the Official Journal. In some instances, more of an explication of the situation should be contained in a footnote. For example, the "Luxembourg Accords of 28 and 29 January 1966" on voting procedures are reproduced on page 71. In the opinion of this reviewer, the pronouncement by one Member State that in "very important matters" discussion must be continued until unanimity is reached is a political not a legal text. A qualifying remark should have been made in the footnotes, as well as a note that the heads of government of the Community, at their Paris meeting in December 1974, stated that "they consider that it is necessary to renounce the practice which consists of making agreement on all questions conditional on the unanimous consent of the member states" (Eighth General Report on the Activities of the European Communities, 1974, edited by the Commission; p. 297)—even if the members of the Council have not lived up to their expectations.

In summary, the editors have compiled and annotated a very useful publication.

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