

Political Integration by Jurisprudence

By A. W. GREEN [A. W. SIJTHOFF, LEYDEN, 1969, pp. xxvii, 847]

The title of this book is misleading and it is surprising that its far more appropriate sub-title, "The Work of the Court of Justice of the European Communities in European Political Integration, was not used instead. Despite the sub-title's length, it is at least an accurate statement of what the author has aimed to present.

Perhaps the most obvious feature of the work (although one that is both a strength and, in places, a weakness) is that it never loses sight of its objective. From the introduction which explains what is meant by political integration, one senses the almost obsessive nature of the book's quest for anything that has the slightest bearing on such integration. Even in situations where a clash between different organs of the Communities can have little bearing on integration, the relevance of integration is sought for and recorded. And when it comes to the question of receivability, the writer has this to say:—

"It is difficult to evaluate the significance with respect to political integration of a decision of the Court of Justice that a complaint before it is not receivable. If the Court refuses to hear the case brought against the Communities by an individual, the Court may decrease the jurisdiction of the Court, but at the same time the Court may increase the authority of the Communities by protecting their actions from legal challenge. Nevertheless, it is important to keep in mind what is looked for here, viz., whether in doubtful cases the Court is having the boldness to hear the case and decide the case on its merits, or whether in doubtful cases the Court declines jurisdiction and lets the matter be resolved by diplomatic or political means rather than judicial means. If the object of inquiry of this dissertation is kept in mind it should not be too difficult to evaluate the cases as to their significance for political integration arising from their expansion or contraction of the Court's jurisdiction."

Because of this tendency to over-emphasize, and to over-elaborate on the central theme, quite apart from a certain heaviness of style, this book makes rather tedious reading, but this should not be allowed to obscure what the author has achieved. The book deals with a mass of authority from the case law of the Court of the Communities. The author has managed to reproduce the substance of the many decisions in a brief, but informative manner, and not least for this reason it makes an invaluable reference work. Used as a source of information on constitutional development rather than as a work to be read as a whole, it can be recommended as a most worthwhile addition to the shelves even of a library with the most modest pretensions at catering for the international lawyer, or for those with an interest in the European Communities.

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