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## International Environmental Law Anthology

Vicki Spencer

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## International Environmental Law Anthology

since libraries know they can readily retrieve the journals over the Internet.

The book next explores the advantages of on-line research and publication. The authors forecasts a merging of Internet research services and legal research services. The authors note that legal journals could be subsumed by the Internet. They warn that for the more traditional realm of legal resources to coexist with Internet research services, traditional research methods must adjust to compete with the new media. To guarantee a competitive electronic forum for scholarly journals will require that elements of the old print medium be maintained inside the new digitized system. To avoid the possibility of tampering with research material, there will most likely be encryption techniques or algorithms installed at the retrieval cite to detect such activity. The written publication process requires filtering of vast amounts of empirical data and demands an extremely concise style for presenting results. For example, the researcher is invariably limited in the length of his dissertation, but electronic publishing removes such constraints. Likewise, a scientist may quickly publish the method, results, and crucial moments of an experiment.

The conclusion reviews a series of legal questions concerning the Internet revolution. The questions relate to courtroom evidence, privacy rights, and the scope of freedom of speech. With regard to evidence, the authors raise a number of issues, some already answered, relating to the intangibility of items such as computerized records. The editors recommend the adoption of a normative framework able to protect personal data and guard privacy rights. Lastly, Internet providers must learn how to cope with questionable material on the Internet. Some schools have banned material it considered offensive, thus raising questions of free speech. The authors conclude that the legal issues should be addressed now, before the questions become too overwhelming and are unanswerable.

*Kathleen Schomaker*

ANTHONY D'AMATO AND KIRSTEN ENGEL (Eds.), *INTERNATIONAL ENVIRONMENTAL LAW ANTHOLOGY*, Anderson Publishing Company, Cincinnati, Ohio (1996); (\$29.00); ISBN: 0-87084-375-3; 203 pp. (pbk.).

Anthologies provide a useful mechanism for introducing readers to the latest research and the most cutting edge arguments in any field of study. But the *International Environmental Law Anthology* provides the reader with much more than an interesting collection of articles. In an effort to expose the reader to as many diverse viewpoints as possible, the editors have pulled excerpts from leading works in the field of

international environmental law. These excerpts, selected to demonstrate an "essential thesis," to provide significant data, or to illustrate a particular viewpoint, have been reformulated into a cohesive text.

The book is organized into seven parts, with each part devoted to a separate theme. Following a brief introduction on the historical development of international environmental law, Part II outlines some of the most common sources of current international environmental law. The editors then discuss the various roles national customs play in the development of law and introduce a few more of the unified rules, such as Principle 21, adopted at the 1972 Stockholm Conference, and the Precautionary Principle, unanimously endorsed by the Rio Declaration. These principles are contrasted to more controversial concepts, such as "sustainable development" which contends that development should meet society's present needs without compromising the needs of future generations, and the "common heritage of mankind" which suggests there are regions which do not fall under any nations jurisdiction, and therefore are not subject to appropriation.

Other questions discussed in this section include: Is there a body of "soft law" which recognizes normative restrictions on human behavior, but does not provide any mechanism for enforcement? Must states be forced to act collaterally because of the extraterritorial effects of environmental policies? For each of the issues raised, the editors have provided discussions on both sides of the debate. This approach is followed consistently throughout the book.

The next three parts of the book focus on specific functional areas of international environmental law, including hazardous activities (transboundary pollution, trade in hazardous wastes and technologies, and environmental warfare); protection of species and ecosystems (biodiversity, desertification and deforestation); and the global commons (oceans, atmosphere, and Antarctica). Once again, the issues are first defined and then the reader is provided with excerpts which provide a forum for deliberation.

After becoming familiar with the substantive issues, the editors encourage us to consider more abstract issues of ethics and equity. Part VI discusses how old ideas of exploiting resources on a "first-come first-serve basis" are being succeeded by notions of shared responsibility. More and more, nations are being challenged for adhering to policies that allow them to pollute according to their own self-determined standards. These equity arguments are followed by a discussion of whether there is a "shared international morality" with respect to environmental issues. Christopher Stone, for example, contends that there is no moral imperative so overwhelming that any nation would subordinate its national interest in favor of the "good" of the environment. This, of course, is because political and economic interests always tend to prevail.

In the final section of the book, the editors shift from the underlying theme that international laws, seeking to further global environmental values, may serve to restrict the sovereignty of independent nation states. Instead, they suggest that some international laws may interfere with state policies, even those which have been formulated with the specific intent of protecting the environment. This apparent inconsistency takes the reader to Part VII, which summarizes the entire discussion of the "dynamically changing area" of global environmental protection law. The editors conclude that it is important to be aware of trends and innovations currently taking place, for it is only by remaining receptive to new ways of thinking that we will be able to resolve the issues evolving out of the concern for preserving our global environment.

This anthology addresses issues of fundamental importance to the area of international environmental law. The extensive "cut and paste" approach that the editors employed in the development of their text could have led to a disjointed discourse. On the contrary, the text is very readable and flows smoothly from one excerpt to the next. This unique approach to controversial legal issues may stimulate ones interest in international environmental law. But as the editors themselves suggest, this text may be more useful to the academic, than to the practicing attorney.

*Vicki Spencer*

MARGARET A. SCHULER (Ed.), *FROM BASIC NEEDS TO BASIC RIGHTS*; Women, Law & Development International, Washington, D.C. (1995); (\$21.00); ISBN 95-79859; 554 pp. (pbk.).

*From Basic Needs to Basic Rights* contains thirty-four articles, essays and case studies by women's rights activists and scholars from the international community. Various interpretations of existing challenges in the field of women's human rights along with suggestions by the authors for the development of solutions to those challenges are presented throughout the book.

A foreword by Noeleen Heyzer notes that while significant strides have been made in the area of women's rights, the majority of women and girls continue to remain excluded from fully participating in society and from the prevailing vision of "universal human rights."

The editor, Margaret Schuler, expounds on this theme by summarizing how the current international frameworks of law and policy have imposed limitations on the free exercise of women's rights. Schuler places emphasis on the fact that women's rights have made only minimal progress in penetrating the traditional paradigm of hu-