

***World Public Order of the Environment: Towards an International Ecological Law and Organization*, Jan Schneider, Toronto: University of Toronto Press, 199. Pp. xv, 319. \$20.00 (cloth).**

With the popularization of the "ecology movement" one does not need to be a university graduate to understand that the earth's resources are an interwoven network of interdependent forces and materials, *viz.* biological, geological, hydrological, pedological and meteorological, which in turn are modified by man to meet his needs, demands and aspirations. Dr. Schneider is not the first to point out that with the "shrinking globe" of today, the world's natural resources must be shared and jointly managed out of necessity because of the effects that one group's actions will or may have on another.

The general purpose of *World Public Order of the Environment* is to suggest ways of taking greater account of ecology and political ecology in moving towards an international ecological law and organization. Dr. Schneider defines *ecological organization* as the term to encompass the interrelationships and interdependencies of resource management.<sup>1</sup>

Dr. Schneider describes the focus of her inquiry as follows:

... I try, rather, to examine the will and means for dealing with both immediate and long-term environmental problems. International environmental law and organization are viewed as a composite of multiple and interpenetrating decision-making processes, responding to perceived natural and physical limitations and implementing value priorities within the remaining bounds of choice. From analysis of trends in these areas, there appears to be emerging a new world public order of environment and resources; this new order is, however, still in an embryonic stage, and we have far to go towards the goal that I have labelled an 'international ecological law and organization.'<sup>2</sup>

The author brings considerable academic and practical experience to bear in the formulation of her thesis. Dr. Schneider is a practising lawyer in Washington, D.C., as well, she holds a doctorate in political science.<sup>3</sup> She has participated in both the United Nations Human Environment and Law of the Sea Conferences.

The intellectual tasks Dr. Schneider recommends for the clarification and implementation of policies about particular environmental problems are several-fold, including:<sup>4</sup>

---

<sup>1</sup>Schneider, at 6.

<sup>2</sup>*Ibid.*, at xv.

<sup>3</sup>J.D. 1973, Ph.D. 1975 (Yale University).

<sup>4</sup>Schneider, at xiii.

- (1) the specification in detail, from the perspective of an observer identifying with the whole of mankind, of basic general community policies in terms of costs and benefits in relation to all values;
- (2) the survey of past experience, including prior trends in decision, at all levels of community, from local to global, in terms of approximation to clarified policies;
- (3) inquiry into the factors that have affected past experience and decisions on particular comparable problems;
- (4) the projection of developmental constructs about probable decisions and conditioning factors in relation to particular problems; and
- (5) the invention and evaluation of new alternatives in rules, institutions, and decision for the better securing of clarified policies.

The most that the author, by her own admission as well,<sup>5</sup> could aspire to provide is a general framework including broad indications of possible directives for future policy development, leaving much of the detail and extrapolation for a later series of theoretical as well as diplomatic refinements.

This book is in part an expanded and updated version of manuscripts which were published in the *Yale Law Journal*<sup>6</sup> and *Yale Studies in World Public Order*.<sup>7</sup> This current version is presented in four parts consisting of several chapters in each part. The Introduction contains two chapters where the author lays her framework for the following sections. The second part discusses the trends in development of environmental public order under chapters entitled: Concepts of International Law and Processes of International Environmental Organization. The third part — analysis of trends in environmental order and recommendation of future policies — is encompassed in a single chapter entitled: Towards an International Ecological Law and Organization. The final part of the text discusses problem studies in international environmental law and organization under chapters entitled: State Responsibility for Environmental Protection and Preservation, and International Environmental Dispute Settlement. The final one-third of the book includes the appendices. The first of these is the Footnotes, followed by a List of Abbreviations, Table of Cases, Index of Treaties, Name Index and Subject Index.

As an environmental scientist, one is immediately struck by the political science influences in the author's background. The phraseology of the book is not presented in the same style as an environmentalist might expect. This in no way detracts from the excellent and thorough

---

<sup>5</sup>*Ibid.*, at 15.

<sup>6</sup>"New perspectives on International Environmental Law", (1973) 82 *Yale Law J.* 1659-1680.

<sup>7</sup>"State responsibility for environmental protection and preservation: Ecological unities and a fragmented world public order", (1975) 2 *Yale Stud. World Public Order* 32-87.

research and data gathered by Dr. Schneider in the preparation of *World Public Order of the Environment*. The author is to be congratulated for the production of a valuable contribution to the legal literature on the development of international environmental law, a field which as yet has no comprehensive codification but has been evolving through many treaties, state practice, regional arrangements, and doctrinal developments by tribunals. Dr. Schneider has presented a complete and lucid exposition of the current state of environmental law and organization with a cogent argument for the direction they must take in the immediate future.

The major audience for the U.N.B. Law Journal is the practising lawyer in New Brunswick followed by the academic legal community here and abroad. It is the latter portion of this audience, those who are concerned with international and/or environmental law, that will appreciate the contribution of Dr. Schneider.

As an editor, one frequently looks at some of the more technical aspects of a book. The publishers have chosen Times 9 on 11 point type, on the small side, but still easily readable. The major quotations are in Times 8 on 10 point type. They are set off by a wider line spacing but are not indented on the margins or spaced more tightly. When the reader first looks at the page, these quotations are not immediately apparent. [For comparison, this text is set in Baskerville medium 10 on 11 point type with the major quotations in 8 on 9 point type. — *Ed.*] A feature which is annoying to this reviewer is the fact that the footnotes for all chapters appear at the end of the book in the first appendix. Also each chapter's footnotes are numbered independently so that one must refer to the folios at the top of the page to be sure of the proper footnote number sought. The folios and page numbers on the odd-numbered pages are at the left-hand margin (centre of the book). Most English language readers are used to finding page numbers *etc.* in a text by looking at the upper right corner of the page as one skims through the book. In this book that space is blank. I asked several colleagues to find a given page in this book, they too found the paging to be awkward.

In spite of these technical difficulties, for those interested in international environmental law *World Public Order of the Environment* is recommended.

**JOHN W. REYNOLDS\***

---

\*B.Sc. (Wilmington), M.Sc. (Purdue), Ph.D. (Tennessee). LL.B. candidate, Faculty of Law, University of New Brunswick.