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Book Review of *International Law: Doctrine, Practice, and Theory* by John H. Currie, Craig Forcese, and Valerie Oosterveld

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Information Technology Law series, suggests that e-mail has also affected how we think about some basic legal issues. The authors' intent is to classify and compile the legal concepts and structures to help us understand our relationship to e-mail; they do not disappoint.

E-mail Law is divided into five chapters, each of which contains a legislative framework to help situate the topic. Case law, jurisprudence and legislative remedies enhance the information provided.

Chapter 1 examines the formation of e-contracts. If all offers and counter-offers in a settlement negotiation are made via e-mail, has the necessary level of consensus, and consequently a binding settlement, been formed? How is consent expressed in an e-mail contract? Where does one find a discrete offer and acceptance? Contract formation, and the legislative framework governing offer, acceptance, signature, etc. are discussed.

Spam, unsolicited, bulk, electronic messages sent by an unknown entity, is examined in Chapter 2. Four key characteristics of commercial spamming that distinguish it from legitimate commercial e-mailing will be of interest to many readers. Recommendations on practical steps towards controlling spam are provided for the e-mail recipient, the network service provider and the e-mail sender.

E-mail monitoring is covered in Chapter 3. Employer and employee concerns with rights and privacy in the employment context are examined. Recommendations on factors to consider when devising an e-mail use policy will be helpful for those who need to introduce or update such a policy.

Chapter 4, which concerns document retention, also provides ideas to keep in mind when formulating a Document Retention Policy (DRP) as well as recommendations for drafting a DRP. Details on sanctions for unauthorized retention and destruction of e-mail include lawyers' professional obligations and monetary damages.

Given the increasing use of e-mail, it makes sense that Chapter 5 highlights e-mail as evidence. E-mail is playing an increasingly central role in court-based litigation, whether or not we are inclined to view it as being less official. Admissibility and discovery of e-mail are examined in this context. The authors conclude by providing practical tips to manage risks associated with the use of e-mail as evidence.

This book stands alone as a Canadian imprint. You may also wish to look at Susan Singleton's recently updated and released *E-mail Legal Issues 2008*. This British publication focuses on the employment issue of e-mail and Internet use in the office, a universally applicable part of English Internet law.

This book will be of use to legal counsel, human resources professionals and business leaders. It will appeal as well to students and librarians who want to learn about the issues in law that surround what has become the communication medium of choice. It answers many of the questions asked by information professionals who are responsible for the management of e-mail in their workplace.

The authors have provided us with a well-written and thorough review of substantive legal issues related to e-mail

as they currently exist. They have documented legislation from across Canada and the United States and have incorporated relevant case law, providing readers with an up-to-date comprehensive Canadian perspective on e-mail legal issues.

Consider adding the other books in the *Information Technology Law* series to your collection as well. The series to date has worked in its objective of demystifying complex information technology law issues. No specific prior knowledge is required on the part of the reader, but the issues are explored in enough depth to satisfy those who work in the field. The series includes books on web law, video game law and consumer protection online. Upcoming titles will cover such topics as IT outsourcing and electronic evidence.

Margo Jeske

Director, Brian Dickson Law Library
University of Ottawa

International Law: Doctrine, Practice, and Theory. By John H. Currie, Craig Forcese, and Valerie Oosterveld. Toronto: Irwin Law, 2007. xxxiii, 982 p. Includes summary table of contents, detailed table of contents, table of cases (Canadian and international), table of international instruments, and associated web site <<http://www.publicinternational-law.ca>> ISBN 978-1-55221-134-2 (softcover) \$92.00.

International Law: Doctrine, Practice, and Theory is an ambitious but impressive work, with coverage that is extremely broad, as is appropriate for a book in this rapidly evolving and expanding area of law. Yet it is also sufficiently detailed to offer a substantial look at the topics it targets. Coverage of the broad scope of subjects under the umbrella of public international law is not slight; there is a real depth to the discussion along with good coverage of the sources of public international law—the treaties, instruments, conventions, customary law, and the like, as well as basic explanations of the concepts covered in the various chapters. The book, however, goes beyond the basics to include chapters on international environmental law, international criminal law, international human rights law, recourse for violations, domestic remedies, and the intersection of many of these areas.

The book is divided into four parts: the international legal system; state jurisdiction; constraints on state jurisdiction; and recourse for violations of international law. Each of these parts in turn contains several chapters that thoroughly address the subject's different elements. For example, the first part, the international legal system, looks at the concept of international law, its sources, and identification of states as legal persons. In total, there are 15 chapters in the book. Within each chapter there are several subsections that delve into each of these areas more closely, with discussions of theory and practical applications of varying degrees of detail. Within the part on constraints of state jurisdiction, over 150 pages are devoted to the topic of respect for international human rights law.

One might think of this book as introductory because it is so comprehensive that it can offer a very solid grounding on international law concepts and practical applications to even one who is completely new to the area. However, because it also contains such detail on the various topics covered, practitioners and scholars who are more experienced on particular aspects of international law (and perhaps less acquainted with others) are likely to find the book a useful reference for the familiar areas as well as a resource for consideration of the new information.

There are two particularly useful or innovative features of this book that are worth noting. First, it marries the traditional casebook with the textbook to a degree with the inclusion of "Law in Context" light grey boxes peppered throughout the book. These boxes seem to serve essentially the same purpose as case excerpts in law school casebooks — to provide real-world examples or illustrations of the issues and principles discussed in the substantive portion of the text. However, the discussion in the book is fuller, broader, and more detailed than that contained in typical casebooks.

The second interesting feature of the book is an associated web site at <<http://www.publicinternationallaw.ca>>, which is essentially a blog for the book, with the stated intention of maintaining its currency between editions. The authors say that the site will have materials, discussions, and visual tools and aids. At time of this writing there were several blog discussion entries organized by chapter as well as by month. It will be interesting to see if this site grows to be a substantial accompaniment to the book.

It is useful to note the outlook that the authors have taken in preparing this work. They make it clear in the introduction (p. xxxii) that they have written the book from the perspective of "strong objections to [the most recent] United States' administration's conduct of foreign affairs," referring specifically to the notion of "pre-emptive self-defence" (p.xxvii). They say further at p. xxxii that they "endorse a middle power approach [which they describe at p. xxxi] not because of anti-Americanism but because if the world must have a hegemon, better the United States than most other candidates."

Because the cost is probably not prohibitive for most libraries, this book is likely to be a useful addition to the libraries of most firms and organizations that address public international law matters or even individual aspects covered in one or more of the chapters. I have no hesitation in recommending this book for the collections of academic law libraries as well as libraries with social and political science collections. The libraries of government departments that touch on international issues including international environmental law concerns likely will also make good use of the book.

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The Law of Government Ethics: Federal, Ontario and British Columbia. By Gregory J. Levine. Toronto: Canada Law Book, 2007. 190 p. ISBN 978-0-88804-461-7 (perfect-bound) \$79.00.

Pick up a newspaper and the headlines are rife with allegations that politicians and senior officials are abusing their positions and offices for personal or political gain in all manner of ways.

Federally, there has been the sponsorship scandal which culminated in the now infamous Gomery Commission. Even before that, there were rumblings of impropriety and influence peddling respecting hotel financing in a former Prime Minister's riding. And who can forget the allegations of back-room dealings and brown envelopes in the so-called Airbus affair? In my home province we have the unseemly spectacle of overspending of constituency allowances.

If nothing else, these scandals have all made for some interesting times and salacious gossip (not to mention selling a few newspapers) and have provided a foundation for heightened public scrutiny of government and its inner workings. As such, it is perhaps fitting and timely that this offering by Dr. Gregory Levine is now available for public consumption. Entitled *The Law of Government Ethics*, the book is a well balanced and thorough consideration of conflict of interest and certain similar "ethical" laws in place both federally and in the jurisdictions of Ontario and British Columbia.

As Dr. Levine explains, the methodology and aim of the book is: "a synthesis and an appraisal which looks at the principles of the laws; their current state; the means by which they are promoted and enforced; the evolving case law and jurisprudence around them; their similarities and their differences; and their strengths and weaknesses."

The book is organized into five principal areas.

In the first area, Dr. Levine discusses the concept of conflict of interest and probes its various aspects including topics such as corruption, codes of conduct, inappropriate behaviours and enforceability. In this regard the text operates as much as a guide for those affected as an informational tome for practitioners.

The second area reviews the various systems of ombudsman in use and the conduct of those offices. It gives a broad and informative overview of administrative practice before these bodies and assists in navigating their procedures and processes.

The book next turns to the matters of government lobbying and transparency. Dr. Levine reviews the tenets of lobbyist registration legislation from a variety of jurisdictions and helps to deconstruct and distinguish the concepts of legitimate practices from that of corruption. The purpose of this section is to provide clarity of these concepts and discusses the process of registration, the proper conduct of lobbying, improper or unethical practices and ultimately enforcement in the case of improper behaviours.

The fourth area focuses on public access to information.