former A.G. Tesauro and A.G. Fennelly examine the effect of EU law in Italy and Ireland respectively. Whilst the acceptance of EU law into the Italian legal order has been quite tentative, the Irish courts have been far more *communautaire* in their approach.

This impressive collection of essays (which are mostly doctrinal in nature) succeeds in reflecting both continuity and change in the development of the European Union from 1988–2006 and also demonstrates the remarkable impact of A.G. Jacobs on EU law, both through his Opinions and academic work. The book is clearly written throughout and well-edited by the co-editors who all served A.G. Jacobs at the Court as *référendaires* in his chambers. The essays were written in 2007 and although some contain references to the Lisbon Treaty, many do not. Readers should also note that all of the judgments cited as pending have now been delivered. This book will be of considerable interest to academics, practitioners, officials of the institutions and students of EU law and contains many indicators of areas ripe for further research and future reform.

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EXTERNAL RELATIONS LAW OF THE EUROPEAN COMMUNITY by *Rass Holdgaard* [Alphen aan den Rijn: Kluwer Law International, 2009. xvi + 504 pp. inc. index. Hardcover. ISBN 978-90-411-2604-7. Price £99.00]

Looking at the title of this book, the first reaction could be: "What could possibly be added to the vast amount of literature on this topic?" Leading (text) books such as the ones by Eeckhout, Koutrakos or Dashwood and Hillion together seem to cover every possible dimension of the external relations law of the European Community. In fact, the author proves to be aware of this by raising the question "is yet another book on the subject not superfluous" (p.3)? The answer may be found in the subtitle of the book: *Legal Reasoning and Legal Discourses*. Indeed, this book is not about the rules that together make up the external relations law of the European Community, but rather about the legal language used in this domain, both by the Court and by legal analysts. In that respect it takes the perspective of an innocent (although fully committed) bystander, rather than a participant in the legal dogmatics of the Community's external relations law. Its purpose is to introduce new analytical tools designed to supplement legal dogmatic analyses.

Indeed, the area of EC external relations law is not known for its reflective approaches. The author rightfully claims that it is almost exclusively built around a limited number of court rulings handed down since the 1970s. What legal analysts have primarily done (and still do) is interpret these judgments with a view to discovering new (substantive) rules. While this is interesting enough in itself, the approach offered by Holdgaard is surely refreshing and forces us to take a look at our beloved legal domain from another angle. The author claims that the difference with more commentary-like approaches to law lies in the fact that he is concerned with developing proposals for analytical frameworks and methodologies with which to analyse the legal language in EC external relations law:

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> "My aim is first and foremost to organize and reorganize; to present a cartography, which enables us to develop new perspectives from which to observe and reflect" (p.9).

Surely no lack of ambition, for a study that was originally written as a Ph.D. thesis at the University of Copenhagen.

The book contains 23 chapters, divided over three parts. Parts I and II use a language that is probably most familiar to others active in the field of external relations. They analyse a number of key topics related to the "vertical" institutional aspects of external relations law. Hence, part I looks into the division of competences between the Community and the Member States, and part II is concerned with the reception and application of rules of international in the Community area. While in both parts we come across all familiar judgments, opinions, Treaty provisions and notions (including mixed agreements, exclusivity, restraints of Member states competences, the scope of the community's competences), Holdgaard succeeds in presenting the classic authorities within the context of their mutual relationship. This approach indeed allows him to present part of a cartography and allows us to better grasp the complex and extensive development of external relations law. This is mainly done by leaving out the more substantive aspects of the case law as well as the horizontal aspects of EC external relations law (including the role of the institutions and the decision-making procedures). But, the novelty of the "framework" approach is also reflected in the choice to present the different aspects of external relations law in a more conceptual, thematic fashion. Rather than focusing on the case law itself, it is used in a categorisation of the law on the basis of dogmatic themes, such as the Community's external relations authority, Member States' competences, mixed agreements, the reception of international law, and the direct invocability of international law. This approach points to the existence of certain patterns, or regularities in the way the ECJ handles various legal issues across the different themes.

While the value of parts I and II is thus primarily to be found in a remapping of the field. It is in part III, in particular, that the author's preference for a more "critical" view becomes apparent. Indeed, the domains of law and politics are presented as mutually constitutive and the (true, but often neglected) notion of law as a social construction is taken seriously. Holdgaard needs this position to prove his point that by taking account of political and other extra-legal contexts, it becomes easier to understand some of the choices and connections made in EC external relations law. For many of us, it may be reassuring that the author does not come to the conclusion one frequently sees in critical studies: in the end it is all about politics. On the contrary, the focus remains on legal discourses and their (potential) role in the analysis of legal language. The main question in part III is:

> "How can we understand the regularities, how do we identify them and what consequences do they have in specific cases and in the overall normative construct?" (p.344).

Hence, the non-legal context is not presented as diminishing the importance of law, but rather as a tool to make our methodological choices more explicit.

Where parts I and II were already proof of the author's extensive knowledge of external relations law as well as of his ability to analyse this in a refreshing, conceptual fashion,

part III serves as a testimony of the author's ability to even take this a step further. When applying social constructivism, discourse analysis and legal theory, Holdgaard knows what he is talking about and supports his arguments by references to different disciplinary insights. He uses different legal discourses ("ways of representing parts of the world") that have emerged during the evolution of external relations case law to reinterpret the legal framework. These different discourses (of legal integration, of external actorness, of international cooperation, and of internal constitutionality) all explain parts of the legal issues and the choices made by the Court and therefore influence the outcome of cases. They also prove the existence of a dynamic relationship with non-legal contexts; something that should be accepted by more doctrinal analysts. The author claims that the introduction of discourse analysis can give legal dogmatics a theoretical and methodological vocabulary. Well, this seems relevant not only for the area of EC external relations law, but for legal analysis in general. After all, compared to other sciences, we hold a rather poor record where the explication of our methods is concerned.

All in all, this is certainly one of the most interesting and refreshing approaches to the external relations law of the European Community to date and it proves that a legal theoretical approach to this, indeed, somewhat technical area is not only possible, but indeed quite helpful. A minor criticism may be that the author's focus was exclusively on the European Community, thereby not only neglecting the interesting and equally complex external relations regime of the European Union as a whole, but also the unity of the Union's legal order in which the external relations are ever more connected. A reason may be the absence of a comparable role of the Court in the other Union pillars, but recent case law increasingly points to a role of the ECJ as a constitutional court of the Union. In that respect it may no longer be possible to limit, for instance, the discourse of internal constitutionality to one part of the Union's external relations only.

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EFFICIENCY AND JUSTICE IN EUROPEAN ANTITRUST ENFORCEMENT by *Wouter P. Wils* [Oxford: Hart Publishing, 2008. xxiv + 206 pp. inc. index. Hardcover. ISBN 9781841130170. Price £60.00]

Efficiency and Justice in European Antitrust Enforcement represents Wouter Wils's third major contribution to the literature on antitrust enforcement in Europe. Like Wils's previous two books in this field, *The Optimal Enforcement of EC Antitrust Law* (2002) and *Principles of European Antitrust Enforcement* (2005), this publication, in bringing together a number of his latest published articles, offers a legal and economic analysis of relevant, contemporary topics in what is admittedly a rather technical area of law. As suggested by its title, *Efficiency and Justice* has as its overarching theme the consideration of a particular problem in antitrust enforcement that has become increasingly worrying in recent years, namely, how to resolve the inevitable conflict which is occasioned when one attempts to create an efficient enforcement regime while protecting the rights of the accused. Indeed with this book, Wils explicitly (re)acknowledges the modern trend

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