

Small States in a Legal World, edited by P BUTLER and C MORRIS [Springer, 2017, ISBN 978-3-319-39365-0, 264pp, £73.50 , h/bk].

This edited collection is the first in a series on “The World of Small States”, and brings together scholars from a range of academic disciplines writing, sometimes tangentially, on a range of legal issues. Although of obvious interest to scholars with an interest in small states – often defined by population – individual chapters will be of interest to scholars with an interest in legal pluralism, comparative law, and the law of particular under-documented jurisdictions.

The philosophy underlying the collection, and indeed the series, is that small states have something important in common. Building on the definition used by the World Bank Group and The Commonwealth, of sovereign countries with a population of 1.5 million or fewer, the very brief introduction emphasises the low population of small states, and the shared consequences for capacity, and for influence in a globalising world. It would have been useful, particularly in the first volume of a series, had it developed, and defended, the importance of smallness at more length. It could be argued, for instance, that a small, wealthy, state may have more capacity in relation to legal matters, and more influence, than a state with a lower GDP but higher population. Similarly, the collection lacks a conclusion, which could have also been used to have brought out more rigorously the commonality, and differences, across the individual chapters. An index may also have increased the value of the collection as a reference for scholars who come to it for their own purposes, rather than a general interest in small states.

The body of the collection is divided into three parts.

Part I is a single chapter, a keynote by Geoffrey Palmer on small Pacific Island states and climate change. A thoughtful and accessible chapter from a former New Zealand Minister of the Environment, it will be of interest to international environmental lawyers, particularly in relation to inundation arising from climate change. The same readership will be interested in a thought-provoking, and more lawyerly, chapter from Alberto Costi and Jon Ross on the legal status of low-lying states which lose their territory. Both are, however, more about climate change, or perhaps the challenges facing small island states rather than small states simpliciter, than smallness. Part II is a miscellany of chapters dealing with a wide range of legal topics, across a wide range of jurisdictions. The seven chapters are of a good standard, and frequently deal with under-researched topics, but lack a unifying theme. This part is particularly notable for Derek O’Brien’s ambitious, and provocative, comparative study of democracy in the Commonwealth Caribbean, and Tamasailau Suaalii-Sauni’s fascinating discussion of legal pluralism and politics in Samoa. It also includes chapters on competition law and policy in small states by Lina Briguglio (which includes a particularly thoughtful discussion of smallness), on small states and influence in the UN Security Council and the European Union by Baldur Thorhallsson, on EU law in Luxembourg by Michele Finck, on the taxation of small states by Ann Mumford, and the chapter by Costi and Ross already mentioned.

Part III is much more focussed, with three chapters reflecting on legal professions and legal practice in small jurisdictions, and will be of considerable interest to scholars of the legal profession. Sean Patrick Donlan, David Marrani, Mathilda Twomey and David Edward Zammit pool their expertise to compare legal education and the legal profession in Malta, Jersey and the Seychelles. This chapter includes a welcome discussion of a non-sovereign small jurisdiction, Jersey, which hints at the importance of considering these jurisdictions, as well as states per se – another issue which might usefully have been covered in the

introduction at more than footnote length. Nilesh Bilimoria similarly stresses the comparative, in his study of South Pacific Bar Associations and Law Societies. The Part is completed by Hatzimhail's ambitious chapter on the law, legal elite, and the legal profession in Cyprus. Hatzimhail draws lessons from his "(biggish) small state" to reflect more broadly on lawyers, gatekeepers, and post-colonial legal orders. For the reader interested in legal professions and lawyering, but with a limited interest in small states, this is probably the most thought provoking chapter in this part.

Each of the chapters is a useful contribution to an under-researched field, and will be of interest to other fields of study (particularly legal pluralism, comparative law and, perhaps unexpectedly, the study of the legal professions). The collection would have benefitted from a stronger theme, and more explicit framing of the contributions, by the editors. The series is, however, an important milestone in the study of small states.

Review by Peter Edge, Oxford Brookes University