practical benefit to peacemakers and lawmakers, and will offer guidance to a national or international court required to determine the validity of an amnesty provision.

The book is an essential read for those concerned with transitional justice and international criminal law. Mallinder's interdisciplinary approach and clear analysis will render this book applicable also to those from other disciplines, including political science, international relations, criminology and psychology.

Sarah Williams
British Institute of International and Comparative Law

EdinLR Vol 13 pp 553-554
DOI: 10.3366/E1364980909000845

Jeremy Matam Farrall, UNITED NATIONS SANCTIONS AND THE RULE OF LAW Cambridge: Cambridge University Press (*www.cambridge.org*), 2007. xxv + 542 pp. ISBN 9780521878029. £55.

The role of the rule of law in international law has become something of a hot topic of late. It has been the subject of numerous recent studies and conferences, and a journal specifically devoted to the rule of law at the national and international levels was established earlier this year. This trend has not been lost on the UN Security Council. According to Farrall, since the end of the Cold War the Security Council has invoked the term "rule of law" in its resolutions no fewer than 69 times; however, its stress on the importance of adherence to the rule of law has been directed almost exclusively at the conduct of states and non-state actors, rather than at its own functioning.

Since the end of the Cold War, another clear trend has emerged in Security Council practice: it has dramatically increased its use of mandatory non-forceful sanctions. Whereas during the Cold War the Security Council's powers in this regard were exercised only twice (in relation to racist regimes in Southern Rhodesia and South Africa), since then the sanctions floodgates have opened, resulting in the imposition of mandatory sanctions in some two dozen cases. Sanctions have become, to use Farrall's wording, an essential part of the Security Council's "peace and security toolkit".

Given the importance of these two topics in contemporary international law, Farrall's book is to be welcomed at a number of levels. First, it provides an extremely valuable study of the Security Council's practice in relation to mandatory sanctions, as well as its treatment of the rule of law. Farrall's decision to include three appendices – representing some 250 of the book's 500 pages of text – is a welcome one. The book's second appendix provides careful summaries of each sanction regime under six headings: constitutional basis, objectives, scope, administration and monitoring, termination and conclusions. The third appendix lists various Security Council documents, including documents relating to the Security Council's treatment of the rule of law and its establishment and termination of sanctions – all helpfully arranged by topic. The appendices alone serve to make the book an extremely useful reference work.

But the book is much more than that. Farrall makes a persuasive argument linking the lack of success of Security Council sanctions – and few would disagree with his assertion that these have frequently appeared to be ineffective, counterproductive and indiscriminate – to that organ's reluctance to abide by the same "rule of law" principles it imposes upon UN member states and non-state entities. Farrall's central contention is that Security Council sanctions have been applied in such a way that they have actually undermined the rule of

law, leading to a weakening of the credibility of the Security Council and the UN sanctions system: when Security Council sanctions lack credibility, consistency and fairness, states are less likely to observe them. He argues that until the UN Security Council's sanctions practice can be reformed, so that there is widespread confidence in its integrity, sanctions will not reach their full potential as a means of altering illegal or threatening conduct on the part of states and others.

Farrall puts forward several proposals for reform of sanctions practice based on what he refers to as "a pragmatic model of the rule of law", grounded on the basic premise that "the primary goal of the rule of law is to prevent the misuse and abuse of political power" (39). His rule of law model consists of five principles to guide decision-making: transparency, consistency, equality, due process and proportionality. Of course, the Security Council is no normal decision-making body. Its voting structure, which vests in the five permanent members a disproportionate level of control as compared to the UN's 187 other member states, and its overtly political nature, give little reason to be hopeful that the organ's activities will ever comport with the principles of consistency or equality (to name but two). But Farrall is not looking for perfection: he wisely sets himself the more realistic objective of devising policy recommendations that would make sanctions "less ineffective, less counterproductive and less indiscriminate" (6).

Farrall's study provides an excellent analysis of UN practice in two important areas and elegantly links them through his thesis that, in order for sanctions to succeed, the Security Council must move away from its "do as I say, not as I do" approach to the rule of law and, instead, lead by example.

James Sloan
University of Glasgow

EdinLR Vol 13 pp 554-556
DOI: 10.3366/E1364980909000857

Charles Donahue Jr, LAW, MARRIAGE AND SOCIETY IN THE LATER MIDDLE AGES: ARGUMENTS ABOUT MARRIAGE IN FIVE COURTS
Cambridge: Cambridge University Press (*www.cambridge.org*), 2007. xix + 672 pp. ISBN 9780521877282. £80.

In this important and eagerly awaited contribution to the history of medieval marriage, Professor Donahue identifies similarities and differences in the implementation of the rules of marriage in the canon law of the medieval church. Over the past quarter of a century, Donahue has searched the archives of Europe to source evidence for such a study and in this monograph he presents the results of a comprehensive analysis of five courts in Northern Europe. Donahue has produced a substantial printed work of some 650 pages. However, in what must be characterised as a controversial decision, the author's extensive original manuscript has been edited to reduce its length, and much of the scholarly apparatus has been removed to be made available (without charge) as a further 350 pages of "Texts and Commentary" on the publisher's internet site.

Donahue's study concentrates on the courts in northern Europe, the area of western Christendom that is currently best-known in the Anglophone literature (not least because of his own past contributions). The book includes descriptions of the practice of five ecclesiastical courts on both sides of the English Channel: two English courts (the archiepiscopal see of York and the bishopric of Ely) and courts in Paris, Cambrai and Brussels. The material is diverse and sensitively handled. Throughout the book Donahue is careful not to fall into the ever-present