were between two primadonnas seems a bit harsh on both of them. Conflicts they had, and over a number of years, and Reeves brings out the reason for the controversies: the use of money contributed to the Propagation of the Faith. Perhaps it might be better merely to describe the controversies as disagreements of two conscientious men over the use of money contributed to the Church's missionary work.

One great value of Reeve's biography of America's Bishop lies in his treatment of Sheen's short tenure as Bishop of Rochester. Without ever having spent any time studying the matter, I had accepted the consensus among many that Rochester was a disaster for Sheen. Apparently he did make some mistakes there, but Reeves's treatment forced me to rethink my opinion of Sheen's stay in Rochester.

The description of Sheen's return to New York does, I believe, serve his cause. His deepening understanding of the Cross and of his joining of his sufferings to Christ's would seem to justify the efforts to have him beatified.

If you have ever seen Archbishop Sheen on television or heard him on radio or tape, you will find America's Bishop a fascinating story of a fascinating personality.

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Maurizio Ragazzi is Senior Counsel for the World Bank. As such, he speaks with the authority of someone who knows the nuances of the international law. On the other hand, he accepts the conventions in the field and does not question the basic precepts of the international system. This may put him at a disadvantage.

The subject of Ragazzi’s book, *The Concept of International Obligations Erga Omnes*, is a new set of state obligations. These are obligations, in the Latin, “towards all.” Ragazzi traces the origins of the concept to the decision of the International Court of Justice in *Barcelona Traction, Light and Power Company Limited, Second Phase, I.C.J.R. 3*. His book describes the evolution of the concept and assesses the broader implications of the case law.

The importance of this new set of obligations lies in the changing nature of the international law. Most of the law between states is contractual and has its source in treaties and other forms of agreements. It also includes the *jus cogens*, however, which was included in the *Vienna Convention on the Law of Treaties*. The essential idea is that a treaty which conflicts with a “peremptory norm” of general international law is void. The most notable development is probably that international bodies have accepted that the *jus cogens* contains “fundamental human rights.”

The principle of *erga omnes* is essentially a companion principle, which specifies that some obligations are binding on states. The idea appears to be that certain violations of the norms of international law are so significant that they harm the international community as a whole. As a result, states are legally obliged to redress them. These violations include acts of aggression, genocide, slavery and fundamental human rights. The concept is polemical because it implies that individual states and the international community may be legally responsible for what occurs in the affairs of independent states.

Ragazzi writes that *erga omnes* obligations have two “characteristic features”.

The first one is *universality*, in the sense that obligations *erga omnes* are binding on all States without exception. The second one is *solidarity*, in the sense that every State is deemed to have a legal interest in their protection (17).

The author expresses himself with characteristic obliqueness when he states that it “appears” difficult to reconcile the attribute of universality with “the structure of international society, which is composed of independent entities giving rise,
The outline of the book is relatively straightforward. After fixing the origins of obligations *erga omnes* in the international jurisprudence, Ragazzi steps back and examines some "prefigurations" of the concept in the international law. This includes the concept of state servitude, and more importantly, the *jus cogens*. He then returns to the *dictum* of the International Court in the *Barcelona* case and discusses the examples set out in the judgement. Most of these are relatively uncontroversial: Chapter 5, for example, discusses the "outlawing of genocide".

Chapter 7 deals with the obligations of states to protect individual persons from racial discrimination. This is a more significant area, philosophically, since it rests on the deeper obligations of states to respect the equality of all human beings and leads into the general issue of discrimination. It is also more contentious, since it would potentially take the international law well into the sphere of policy reserved for domestic governments. Ragazzi discusses the *South West Africa* cases, which dealt with apartheid, but seems to miss the larger significance of this set of obligations.

Ragazzi also examines a variety of "candidates" for inclusion in any set of *erga omnes* obligations. There is now an internationally recognized right to development, for example, which appears to extend the concept of *erga omnes* beyond the customary prohibitions. States do not merely have an obligation to respect certain moral norms and prevent other states from disregarding them. They also have obligations to provide for the needs of individual persons. Ragazzi is undoubtedly right in arguing that the reasons for attaching *erga omnes* obligations to these kinds of rights need to be examined on a case by case basis.

The book concludes with an analysis of the relationship between *erga omnes* obligations and the concepts of *jus cogens* and *actio popularis*. The principle of *actio popularis* is a controversial principle, which would permit individuals rather than states to institute an action in the international sphere. The distinguishing and dramatic feature of the concept of *erga omnes* is that it brings third states and the international community into the controversies between individual states. Ragazzi's major contention is that obligations *erga omnes* represent an independent legal concept, which is viable in its own right.

*The Concept of International Obligations erga omnes* is interesting for a number of reasons. One is that it contains ample references to domestic legal sources and the principles of interpretation used in a municipal courts. Another is that it charts the halting steps which the international law has taken, in acquiring some of the features of a compulsory legal regime. This seems to be the real significance of the concept of *erga omnes*, which bears the hallmarks of a new and more limited notion of sovereignty. On this view, the concept could easily be seen as a manifestation of the natural law, which provides the
validating source of the positive law.

The book deserves serious attention as a legal text but seems unlikely to meet the needs of a wider audience. Ragazzi’s review of the international law is meticulous and well-researched. The book bristles with authorities: but the density of the references often obstructs the argument. It is difficult to see how an ordinary reader, however educated, will benefit from a discussion of the technicalities of the international law. The major criticism of Ragazzi’s analysis on the legal side is that it is unnecessarily rigid. His discussion of the case law often fails to capture the suppleness of legal reasoning, which is borne of exigency.

The best legal writing has professional qualities. It is lucid, essential, and fundamentally cogent. Lawyers limit their theoretical forays, avoid expansive discussions and subordinate the other features of their prose to the primary burden of the case: which is argument, not scholarship. This is where the major criticism of the book must lie. The book is tentative and expository: it does not advance a single thesis and reads more like a technical report than an incisive exploration of a new and potentially radical set of legal obligations. Ironically, Ragazzi fails to catch the ethical and political undercurrents which make any attempt to explain these obligations so significant.

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The author, a Jesuit who directs the American Studies program at Fordham University, offers an understanding of post-Work War II American Catholicism through the lenses of six chosen individuals (Father Leonard Feeney, Thomas Merton, Senator Joseph McCarthy, Archbishop Fulton Sheen, Dorothy Day, and President John F. Kennedy), two events (the post-Vatican II liturgical changes and the conflict between the Immaculate Heart Sisters and Cardinal James F. McIntyre of Los Angeles), and one institution (the University of Notre Dame football team). As lenses go, these are not bad. What Massa sees through them is another question.

Reinhold Niebuhr is in effect allowed both the first and the last word on the subject, and that word is “irony.” Massa’s approach to history is that of