



Fall 1980

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Recommended Citation

Ludwick A. Teclaff, *Pollution, Politics, and International Law: Tankers at Sea, R. Michael M'Gonigle and Mark W. Zacher*, 20 Nat. Resources J. 95 (1980).

Available at: <https://digitalrepository.unm.edu/nrj/vol20/iss4/16>

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POLLUTION, POLITICS, AND INTERNATIONAL LAW: TANKERS AT SEA

By R. M'GONIGLE and M. ZACHER

Berkeley: U. California Press, 1979. Pp. xviii and 394.

Tables, maps, charts, index. \$15.95.

This painstakingly researched, richly informative, and well presented book may become an essential reference tool and an important contribution to the understanding of international environmental politics and law. The authors, M'Gonigle, lawyer and political scientist, and Zacher, Director of the Institute of International Relations at the University of British Columbia, have collaborated before on the subject of marine pollution and their environmental credentials are very good. In this work they have broadened the scope of their analysis from a Canadian context to embrace the world oceans and the power struggle for management of this 70 percent of our planet.

Essentially this is a policy-oriented study of the Intergovernmental Maritime Consultative Organization (IMCO), within the meaning given that expression by Myres S. McDougal, and the "McDougalian approach," as they term it, is acknowledged by the authors.¹

The work is divided into three parts of unequal length. Part I describes the dimensions of the marine pollution problem and gives a succinct account of the history, functions, and composition of IMCO, its committees, its nongovernmental participants, and the way in which its work is interwoven with that of other United Nations organizations, programs, and conferences. Part II deals with the development of international measures to control pollution from ships. With a wealth of detail it traces these efforts from the 1954 convention to the latest revisions of the 1973 convention, giving due credit to IMCO. Quite a lot of this ground has been covered before, for example in J. C. Sweeney's pathbreaking article² or in this reviewer's chapter in *International Maritime Regulation* (1978).³ But the present account is more up-to-date and the discussion of the 1978 protocols amending the 1973 convention is particularly useful.

Part III bears the McDougalian stamp and gives valuable insight into policy making and policy play in international control of marine oil pollution generally and in IMCO in particular. Here the authors explore methodically the character of the member states of IMCO--

1. On pp. 255-56, n.2.

2. J. C. Sweeney, *Oil Pollution and the Oceans*, 37 *Fordham L. Rev.* 155 (1968).

3. Teclaff, *Controlling Operational Oil Pollution From Ships*, in *International Maritime Regulation*, J. C. Sweeney, ed., (1978), Proceedings of the 4th Annual Fordham Corporate Law Institute on International Regulation of Maritime Transportation.

whether shipowners or cargo owners, whether maritime, coastal, or both, whether free market or closed economies—and of IMCO, the institution, as a forum for environmental problems. They also discuss the implementation of the IMCO conventions in the tedious and often discouragingly slow progression from drafting to acceptance, to ratification and the technicalities of compliance. In the concluding chapter, entitled “The Political Process and the Future of Environmental Protection,” the authors look ahead and focus on general strategies for marine protection within the political setting that has molded the policies of IMCO member states, on the potential role of IMCO in international environmental regulation, and on the coordination which should develop between IMCO and the United Nations Environment Program, the lead U.N. environmental agency.

The international law portion of the work could be more wide-ranging and exhaustive in analyzing not only the issues but also the vast and recent literature on the subject. Moreover, the book would be easier to use as a legal reference tool if there had been precise and complete citation to conventions, statutes, and regulations. However, this does not detract from its value as a study of the political processes that shape pollution control, and here the depth of research, volume of material and detailed analysis are really impressive. For instance, there are no fewer than seventeen charts depicting and analyzing IMCO membership and structure, the status of convention ratifications, and state positions and votes on the various pollution control measures proposed. This is the sort of reference material that is virtually impossible to find gathered together within the covers of a single book.

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