BOOK REVIEWS

Bea Verschraegen, *Internationales Privatrecht*, Manz 2012, 286 pp., € 44.75, ISBN 978-3214149390.

The book authored by Bea Verschraegen, professor of law at the University of Vienna, on private international law (PIL) in Austria, written for students and practitioners, is an important contribution to this field of ever-growing importance in a modern, globalized world.

Verschraegen has chosen, for good reason, to have the special part of private international law precede the general part. By first acquainting the reader with the wide spectrum of problems that arise in practice, she makes it easier for him to later on understand the more abstract general part, which brings together the principles and the special methodology, that underlie PIL as a whole.

The book starts with a glossary of the special terminology used in private international law and a list of sources of law – international, European Union law, Austrian national sources and foreign national sources (namely, the Private International Law statutes of Belgium, Germany, Italy, Liechtenstein and Switzerland), a bibliographical list, which addresses not only Austrian literature, but also the *International Encyclopedia of Laws – Private International Law*, of which Verschraegen is the editor, as well as German works, German PIL being not only the most comprehensively covered by legal literature, but also the most influential in developing Austrian PIL. In addition, every chapter ends with further references to literature, Austrian, foreign and comparative, in German, English and French. As pointed out by Verschraegen (para. 1076), the comparative perspective is of great importance. There is no point in learning conflict rules if one does not understand the differences among the legal systems, that make it necessary to have such rules in the first place.

The special part and general part follow. The book ends with two schemes for solving practical cases, regarding international jurisdiction and the applicable law, respectively. Verschraegen correctly warns at the outset that the schemes have been largely simplified on purpose. Each real-life case would require modifications.

Verschraegen provides the reader not only with the theoretical and abstract aspects of private international law, but also adds examples to clarify how the PIL rules are in fact, or should be, applied. To cover all of the subjects, with examples, in 286 pages requires very concise writing, often cut to the bone. This approach has its advantages. The reader plunges rather quickly into the wide and deep sea that this very complex subject really is.

At the same time, the book makes the reader curious to learn in more detail why Verschraegen considers certain matters questionable, in the text just marked, often in brackets, as *strittig* or *bedenklich*, or why prevailing scholarly opinion (*herrschende Meinung*, *hM*), to which Verschraegen refers on occasion, goes one way rather than another. But, to answer such questions would have required a book at least double the size, which may not have suited as adequately

Verschraegen's aim, mentioned in the preface, to make a sharp presentation of just the essentials of the subject, nothing more and nothing less (pp. III-IV).

By covering a wide range of PIL subject-matters, addressing both traditional and modern problems (e.g., international company law, competition law, IP and cultural property, as well as the whole spectrum of problems encountered in modern international family law), Verschraegen makes a significant contribution to the study and practice of private international law in Austria. Readers elsewhere, such as this reviewer, will profit from the Austrian view of the sea of private international law. Not only will they become familiar with the rules and methodology of another important European legal system, with a long-standing tradition of scholarship and learning of this subject. They will also acquire additional insights into the private international law of their own country.

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Jane Mair and Esin Örücü [eds.], *The Place of Religion in Family Law: A Comparative Search*, Intersentia, 2011, xvi+286 pp., €76, ISBN 978-1-78068-015-6.

A. Introduction

Religion has long held a special association with family law, historically shaping the institutions that this area of law seeks to protect. However, in this age of state secularism, traditional religious influence within European jurisdictions is becoming increasingly marginalized. Despite this, at the same time, growing multiculturalism has fuelled calls for greater accommodation of religious practices within the law. This stance was famously exemplified by the Archbishop of Canterbury, Rowan Williams, who expressed his support for giving British Muslims the choice to have certain matters, for example marital disputes, dealt with by sharia courts.[1]

The above view exemplifies one of a number of issues involved in accommodating religion in family law today. In March 2010, a workshop was held in Glasgow involving scholars from various jurisdictions who resolved to produce an overview of this relationship. The result, *The Place of Religion in Family Law: A Comparative Search*, aims to examine such matters by reference to a range of contributions, each presenting the interaction of religion and family law from a distinct perspective.

This review will begin by briefly providing an overview of the book's structure, followed by a discussion of its content through the perspectives of a number

1 The Archbishop of Canterbury, The Rt Rev Dr Rowan Williams, *Civil and Religious Law in England: a Religious Perspective*: text of the Foundation Lecture at the Royal Courts of Justice delivered on 7 February 2008. The full text is available at: <www.archbishopofcanterbury.org/1575>.