

SASKATCHEWAN
LAW REVIEW



WITH COMPLIMENTS

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Book Notes

Property Rights in the Defence of Nature by Elizabeth Brubaker. Toronto: Earthscan Publications Ltd., 1995. 328 pp., \$15.95.

This book focuses on the power inherent in common law trespass, nuisance and riparian property rights as a means of enabling individuals to protect the environment. Brubaker indicates that the use of these rights as a means of environmental conservation has fallen into disuse as environmentalists concentrate more of their efforts on lobbying governments for increased regulations. Ironically, it is often governments who facilitate private industry's pollution of the environment by legislatively overriding individuals' property rights. Brubaker advocates a return to the vigorous enforcement of these property rights to create incentives for industry to be more environmentally responsible rather than face the consequences of large damage awards and injunctions that will result through recourse to the courts.

The book is essentially a broad survey of the historical treatment of property rights at common law. Consequently, *Property Rights in the Defence of Nature* may be of little use to those experienced with the wider facets of environmental and property law. However, it does provide a concise encapsulation of the basic principles of law in these areas, including a summary of trespass, nuisance and riparian rights cases in the appendix. In addition, Brubaker provides an interesting argument in favour of the controversial proposal to constitutionalize property rights that may be of interest to some readers.

- Andrea Neufeld

The End of Racism by Dinesh D'Souza. Toronto: The Free Press, A Division of Simon & Schuster Inc., 1995. 724 pp., \$40.00.

My attention was first drawn to this book when the author appeared on CNN's *Crossfire*, then moderated by eventual presidential candidate, Pat Buchanan. D'Souza's views later appeared to have found a home in Buchanan's campaign.

The author identifies multiculturalism as the dominant paradigm of liberal anti-racism and cultural relativism as its major intellectual premise. Cultural relativism suggests all cultures are equal, unique and can not be judged by the standards of another culture, so societal institutions are fundamentally racist because they elevate western values and standards above other cultures. Under this premise, the dominant culture did not