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# EDITORIAL

The current issue of the Journal continues with the new section of book reviews. The first book concerns European Business Litigation and addresses both academic issues as well as those that concern lawyers in practice. The second book is aimed at undergraduates studying the English legal system.

The articles in this issue include part two of the two-part article which examines the actual and potential role of transnational law in the assertion of rights and freedoms by people with disabilities. The first part of this article, which was published in MJLS Vol 2: No2, concluded that there is currently no binding and accessible global international law instrument that specifically relates to the disabled. Instead an emphasis was placed upon those instruments which have a generic application to human rights and a clear potential application to the protection of disability rights primarily through their provisions relating to non-discrimination. It was also stressed that the instruments of global international law have the potential to provide an indirect benefit to disabled people as tools of influence and persuasion in the development of non-discrimination and affirmative action empowerment programmes at both a national and international level. This analysis is applied to the opportunities in this area under European Law in the current issue.

Human rights in the form of anti-discrimination provisions is also a theme running through the second article which assesses the validity of claims that the use of positive action measures as a means of redressing past gender imbalance within national political structures would be contrary to UK and/or EC provisions in this area. The promotion of positive action has found favour in international law and European social policy, and the article analyses these initiatives within the context of the increased participation for women in the political decision-making process. The discussion is set in the context of the constitutional framework within the new Scottish Parliament. However, the arguments presented may have far-reaching implications and could equally be applied to the developing debate concerning regional assemblies in England.

The third article continues with a human rights theme, but this time in the area of civil liberties and the legal and privacy implications of 'spy in the sky' satellites. The issue of privacy in relation to security cameras has been the

subject of much discussion in recent years, but there has been little debate in the UK concerning the civil liberty implications of satellite monitoring. This article discusses the implications of the incorporation of major parts of the European Convention of Human Rights into UK law. The problems presented by the lack of definitions, either statutory or judicial, in the areas of ‘the right to a private life’ and the problem of establishing an interference are also discussed. It is proposed by the author that a body to consider ethical and legal implications of monitoring certain activities by satellite should be established.

The last article is a comparative study of the concept of ‘par value’ in company law. It examines the policy issues underpinning the legal aspects of ‘par value’ and argues that the concept has little relevance in the world of commerce today and suggests that shares of ‘no-par value’ often reflect the true value of the shares. Although UK company law still recognises the concept of ‘par value’ the concept is under discussion in the consultation document *Modern Company Law for a Competitive Economy - The Strategic Framework*. The difficulty arises from the EC Directives in the area and the requirement that shares of public companies may not be issued below an ‘accounting par value’.

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