

EDITORIAL



Discussion on climate change or 'global warming' as a result of rapidly increasing man-made emissions of 'greenhouse' gases is undisputably of great importance for all mankind.

According to visiting lecturer from the Netherlands, **Jan van Ettinger** who delivered a public talk at Valletta late last year, on **Climate and Climate Change**, with special reference to the Oceans in general and the Mediterranean Sea in particular, "*global warming is a man-made phenomenon, it leads to introduction of energy (heat) into marine environment*" which has some deleterious effects. These effects are mentioned by the **Barcelona Convention** under the definition of 'pollution'; these are such effects "*as harm to living resources, hazards to human health, hindrance to marine activities including fishing, impairment of quality for use of sea water and reduction of amenities.*"

To this effect, the 1988 **Maltese** initiative at the 43rd General Assembly of the United Nations for **The Protection of Global Climate for Present and Future Generations of Mankind**, is a welcoming step in the right direction.

Mikhail Gorbachev's policy of **glasnost**, or **openness**, has reached a huge dimension on the world-historical stage. The first edition for 1990 of the **International Time**, newsmagazine, describes the process of change that is taking place in the Easter European countries as "*the shell of an old world cracked, its black iron fragments dropping away, and something new, alive, exploded into the air in a flurry of white wings.*"

And we have to do our part to encourage this "*flurry of white wings.*"

As law students, we can support glasnost by communicating our ideas, our discussions, on legal concepts as applied in our law, with law students at the universities of Eastern European countries; and by learning what jurisprudence influences the legal sphere of these countries.

The comparative and theoretical study of some legal concepts in russian criminal law, being published in this edition, is a start; in fact, very few studies of this nature have been compiled up till now.

Indeed, it is a pleasure that besides subscription from Western Europe countries and the U.S., for the first time ever, since its first publication, we intend to market **Id-DRITT** law journal in Eastern European universities as well.

Various are the opinions on marital rape. The contemporary attitude taken up by courts has rectified the principle that the husband could not be prosecuted for raping his wife since it is argued that such a principle, advocated by the 17th-century English jurist **Sir Mathew Hale**, was based on a mistaken belief.

J.C. Barden in an article entitled "*Marital Rape: Drive for tougher laws is pressed*" published in **The New York Times** in May 1987, maintains that having rectified this old mistake, "*it is now a crime in 25 states for a husband to rape his wife while the two are living together.*" In fact, it was the state of South Dakota which was first to make the rape of a spouse a crime, in 1975. To this effect, "*nationally, from 1978 through June 1985... 118 husbands were prosecuted on charges of raping their wives and 104 of them convicted.*"

Some believe that marital rape and battering are closely related; but **David Adams**, director of **Emerge** a Boston group that offers counselling services for men who beat their wives, says that not much more than 15 percent admit to forced rape.

Special mention goes to **Mr. Malcolm J. Naudi**, journalist, whose professional advice in editing the interview which I held with **His Honour Chief Justice Prof. Hugh W. Harding**, was greatly appreciated.

M.A.T.