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Odious Debts: Loose Lending, Corruption, and the Third World's Environmental Legacy

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speeches succeeds in giving the reader a taste of selected topics encompassed in the broad term "international terrorism."

Lisa Berkowitz

LEGAL INSIGHTS TO INTERNATIONAL BUSINESS IN SPAIN; Explore Publications, Los Angeles, CA (1991); \$249.00; ISBN 0-9630929-0-1; 381pp; Appendix, index.

At first glance, this paperback book looks like nothing more than a tremendous directory of Spanish law firms. But this volume provides information for everyone from job seekers to prospective clients to established businesses looking for information on law firms in Spain.

The book is broken down into several sections: Law Firms, Legal and Business Institutions, and Legal and Business Topics. By far the most important section is Law Firms. This section contains much more than basic directory information; it also contains thoughtful information about each firm, such as: what languages are spoken by the firm, what percentage of clients are foreign, and interviews with partners, or top officers in the case of institutions. Because the information was provided directly by the firms, there is more detail for some than for others. Some firms were more eloquent than others in expressing their views on given topics. The type of information provided in these interviews cannot be found anywhere else. The collection of personal views provides invaluable information for job-seekers or the cautious American export company seeking counsel.

The section on Legal and Business Institutions also focuses on the personal interview. An assortment of institutions provide detailed information about the nature of their businesses and their structure.

The final section, Legal and Business Topics, provides the reader with a comprehensive description of specific subjects, also collected through interviews. Here the questions are grouped alphabetically by topic, with several law firms responding. Again, the information is candid.

Explore Publications has taken a novel approach to providing readers with a much needed resource. The attempt to provide the reader with a comprehensive look at the Spanish legal community from a practitioner's view is successful. Well-thought out questions provide the opportunity for Spanish practitioners to express their understanding of the unique manner in which their legal community functions.

Francis Brown

ADAMS, PATRICIA, ODIIOUS DEBTS: LOOSE LENDING, CORRUPTION, AND THE THIRD WORLD'S ENVIRONMENTAL LEGACY; Probe International, Earthscan Publications, Ltd. (1991); \$19.95; ISBN 0-919849-16-4; 252pp.

"Human beings do not willingly degrade their environment." Patricia Adams introduces her book with a narrative of the ancient *muang faai*,

the thousand-year old system of water management of Northern Thailand. Ancient farmers understood that mutual reliance was necessary for survival and managed to use the rivers to irrigate crops, water animals, and provide for their own needs, and yet still keep the water clean. Adams explains both how the farmers were brought into the system through "sweat equity" — by putting in twice the labor to compensate for the past efforts of others — and how the use of water was prioritized so that in dry years subsistence crops, such as rice, had precedence over cash crops, and distant or difficult to irrigate plots received water first. The system operated on the basis of co-dependence. All of this came to an abrupt halt when the World Bank and other international institutions brought "development" to the remote corners of the globe in the name of "progress."

This book is written in a style easily accessible to the lay-reader. The absence of footnotes makes for comfortable reading. The endnotes provide the academic support for this account of the Third World's environmental destruction and accompanying indebtedness — the double punch of Western "progress." The book's intended audience is varied, and can include environmental activists and pacifists, economists and lawyers, as well as students of world politics.

Patricia Adams portrays the environment's demise in the face of the West's appetite for raw materials: the harvesting of those materials without thought to the downstream effect of logging, deforestation, and damming of rivers. As an example, Adams describes the failure of the Bailvina and Tucurui dams in the Amazon region. According to Adams, this was partially due to inadequate planning for the effect of rising water on the vegetation. The failure to clear the reservoir area of vegetation caused the river to become incapable of supporting previous life forms. Ultimately, the dams were responsible for the demise of over three thousand native Waimiri-Atroari Indians. Adams also describes the effect of "progress" on less publicized ecosystems. The Singrauli agricultural community in India was contaminated by open pit coal mining and coal-fired electric generating plants. In Ethiopia, the Awash River Valley floodplains were destroyed to make way for sugarcane, cotton, and banana plantations. In Botswana, cattle ranching projects destroyed the grasslands and decimated the pastoral peoples' traditional economies.

In the sections on native governments' lack of foresight and greed, Adams documents the enrichment of the government, the capital flight, the revolving door of aid money — which in some cases never reached the Third World country where it was intended to be used — and the concept of "odious debt."

Adams cites Alexander Nahum Sack for the doctrine of odious debt:

If a despotic power incurs a debt not for the needs or in the interest of the State but to strengthen its despotic regime, to repress the population that fights against it, etc., this debt is *odious for the population of all the State*.

This debt is not an obligation for the nation; it is a regime's debt, a personal debt of the power that has incurred it, consequently it falls with the fall of this power.¹

Adams then chronicles the Third World governments' defrauding of their countries and appropriating aid money for their own use. In the process she makes a very compelling argument for forgiveness of the debt.

Ms. Adams' conclusions are:

(1) The World Bank, international foreign aid agencies such as A.I.D. and CIDA, and the export development agencies such as the Export-Import Bank and the Export Development Corporation should be closed down.

(2) Privatization and respect for property rights are necessary to protect the Third World's environment.

(3) Forgiving the Third World's debt on humanitarian grounds will redound to everyone's sorrow.

(4) The Third World's debt crisis benefitted the environment.

Ruben M. Hernandez

LOWRY, HOUSTON PUTNAM, CRITICAL DOCUMENTS SOURCEBOOK ANNOTATED- INTERNATIONAL COMMERCIAL LAW AND ARBITRATION; Little Brown and Company (1991); ISBN 0-316-53404-8; 532pp. Annotations, bibliography.

Houston Putnam Lowry has assembled ten documents in use in international commercial and corporate practice, and seventeen documents in international arbitration and dispute resolution. He provides the nature and purpose of the document, the countries which have become party to it and a comparison to the U.S. equivalent. The annotations provide specific comparisons to applicable U.S. law, e.g. the Uniform Commercial Code, Statute of Frauds, and the Federal Rules of Civil Procedure. Where applicable, he provides a bibliography of any existing analysis of the document.

Rapidly expanding international market participation by American companies makes the book timely. The expansion of the market itself — the opening of the Eastern Bloc markets and expansion of the European Common Market — also mandates a reference such as this.

Both neophyte and experienced international practitioners are the target audience of the book. Lowry's own previous reliance on a "make-shift, dog-eared photocopy" of necessary international materials prompted him to prepare this sourcebook. This is the first single volume reference of this type to be printed. As the U.S. becomes increasingly more involved in international markets, the value of this resource will

1. See PATRICIA ADAMS, *ODIOUS DEBTS*, at 165.