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Book Notes

Keywords

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BOOK NOTES

BARKENBUS, J. N., DEEP SEABED RESOURCES; The Free Press, 866 Third Avenue, New York, NY 10022 (1979); \$14.95; ISBN 0 2 901830 7; LC 78-73024; xiv, 191 p.; footnotes, tables, general index.

Mr. Barkenbus presents a study of the international political and legal issues involved in the mining of manganese nodules which exist in great numbers on seabeds beyond national territories. Through discussions of the potential impact of nodule mining on the economy of the United States and of the Third United Nations Conference on the Law of the Sea negotiations, the author develops his major thesis: unilateral nodule mining would be against the United States' best interests. With a compromise yet to be reached on nodule mining by the nations of the world, and the increasing prospects of unilateral action on the part of the United States, the author concludes that an international solution to this controversy can only be achieved by a realization by the U.S. that its authority in the world economy is diminishing.

CAMPBELL, D.L. (editor), COMPARATIVE LAW YEARBOOK (Volume II-1978); Sijthoff & Noordhoff, Alphen aan den Rijn, The Netherlands (1979); available in U.S. from Sijthoff & Noordhoff, 20010 Century Blvd., Germantown, MD 20767; \$52.50 (cloth); ISBN 90 286 00299; v, 300 p.; footnotes. Issued by the Center for International Legal Studies, Salzburg, Austria.

Contributors from Austria, Hungary, Norway, Poland, Sweden, and the United States offer an international perspective dealing with issues of comparative, transnational and international law. Topics discussed include environmental law, criminal procedure, state immunity, German and EEC antimerger law, privacy legislation, the economic system of Latin America, correspondence rights of prisoners, the legal status of illegitimate children, private transnational law, and comparative law as to countries with different economic systems.

ECKES, A.E., JR., THE UNITED STATES AND THE GLOBAL STRUGGLE FOR MINERALS; University of Texas Press, Austin and London (1979); \$18.95 (cloth); ISBN 0 292 78506 2; xi, 353 p.; footnotes, appendices, bibliography, index.

Mr. Eckes explores how natural resource considerations have influenced American foreign relations since World War I. He examines America's dependence on foreign mineral supplies as well as the internal struggle for control over America's resources, and analyzes the times of plenty as well as the times of scarcity. Mr. Eckes recognizes the important role mineral supplies have played in shaping foreign as well as domestic policy in the United States and in other countries. The book limits

its scope to nonagricultural and nonenergy-related materials with an emphasis on industrial raw materials because these resources have failed to gain attention proportionate to their importance in shaping world policy. Topics includes America's quest for mineral self-sufficiency, the role of mineral resources in times of war—including the cold war—and the current scramble for control of resources.

EL-HAKIM, A.A., THE MIDDLE EASTERN STATES AND THE LAW OF THE SEA; Syracuse University Press, Syracuse, NY 13210 (1979); \$24.30 (cloth); ISBN 0 8156 2217 1, LC 79-17456; 293 p.; footnotes, bibliography, tables, maps, general index, appendices. Foreword by R.Y. Jennings.

The author presents a comprehensive examination of the Middle Eastern Arab States' policies on the law of the sea. He reveals that Arab policies, which tend to follow those of other developing countries, are becoming increasingly important in a world thirsty for oil despite the fact that the interest of the Arab States in the subject is relatively recent and no exclusive Middle Eastern approach to the law of the sea has yet developed. The book covers many topics in varying degrees of depth, including the territorial sea, continental shelf resources, the rights of passage through the Straits of Hormuz and Tiran, the Arab States' participation in the Third United Nations Conference on the Law of the Sea, and regional issues.

ELIAN, G., THE PRINCIPLE OF SOVEREIGNTY OVER NATURAL RESOURCES; Sijthoff & Noordoff, Alphen aan den Rijn, The Netherlands (1979); available in U.S. from Sijthoff & Noordhoff, 20010 Century Blvd., Germantown, MD 20767; \$45.00 (cloth); ISBN 90 286 0049 3; xi, 238 p.; footnotes, select bibliography, index of terms, organizations, personalities, events and opinions. Translated from Romanian by Professor Andrei Bantas of Bucharest University.

Mr. Elian presents a comprehensive survey of the principle of sovereignty as it applies to the world's dwindling supply of natural resources. His discussion emphasizes the importance of ensuring that the emerging Third World nations capture and retain control of their natural resources, and traces the development of international law in this area since the Second World War. Issues discussed also include maritime resources and those in other regions of difficult access; United Nations debates on the principle of economic sovereignty over natural resources; the influence of interstate organizations on the exercise of sovereignty over natural resources; the growing development of international economic exchanges; and the Romanian outlook on sovereignty over national resources within the framework of a new international economic order.

FINCH, J., INTRODUCTION TO LEGAL THEORY (3d ed.); Sweet and Maxwell Ltd., 11 New Fetter Lane, London (1979); distributed in U.S. and Canada by The Carswell Company Ltd., Agincourt, Ontario; \$35.00 in cloth, also available in paper; ISBN 421 24820 3 (cloth), 421 24830 0 (paper); xii, 228 p.; preface, footnotes, further readings, index, index of jurists.

John Finch, of the Faculty of Law of the University of Leicester, has revised the earlier edition of this book by expanding and reorganizing the text and by adding references to further readings. The book's aim remains the same: to present a short guide to some of the most significant aspects of the theory of jurisprudence. It describes the major features of the development of juristic thought, giving due attention to positivism and natural law, and to a number of the principal juristic thinkers. Among these are Aristotle, Grotius, Hobbes, Blackstone, Bentham, Austin, Kelsen, Olivecrona, Hart, Fuller, Ross, Gray, Holmes and Llewellyn. There are chapters on Soviet legal theory, on the central position of the courts, and on law, force and authority. The latter includes a section on international legal theory.

GRAHL-MADSEN, A., *TERRITORIAL ASYLUM*; Almquist & Wiksell International, Stockholm, Sweden, in collaboration with Oceana Publications, Inc., New York, NY (1980); ISBN 91 22 0 390 8 (Almquist & Wiksell), ISBN 0 379 20706 0 (Oceana); xvi, 231 p.; footnotes, appendices, annexes, table of abbreviations, bibliography, index.

Professor Grahl-Madsen explains the present state of the law of asylum: the time-honored right of states to grant asylum to any person seeking it, the constitutional and statutory provisions in many countries giving the individual a more or less perfect right to be given refuge, and the rudimentary provisions of international law prohibiting the extradition of political offenders and the forcible return of refugees to countries where they will not be safe from prosecution.

The plans for an Asylum Convention are discussed in detail, and the results of the ill-fated United Nations Conference on Territorial Asylum are critically analyzed. In appendices the author relates the interesting discussions in the Nansen Symposium, discusses the disturbing phenomenon of "refugees in orbit," and suggests a plan of international cooperation as a key to the solution of the current refugee problems which cannot be solved regionally. The annexes contain international instruments dealing with refugees and asylum, and the many proposals for a convention or protocol.

HENKIN, L., *HOW NATIONS BEHAVE*; Columbia University Press, 562 West 113th Street, New York, NY 10025 (1979); distributed by Council on Foreign Relations, Inc.; \$6.50 (paper), \$20.00 (cloth); ISBN 0 231 04756 8 (cloth), ISBN 0 231 04757 6 (paper), LC 79-1015; xv, 339 p.; footnotes, index, preface to first and second editions.

Professor Henkin, expanding on the foundation laid down in the first edition of *HOW NATIONS BEHAVE*, presents an analysis of the contemporary "system" of international law. The analysis centers on the role of a system of law, emphasizing the interrelationships between legal systems and contemporary political forces. In addition, the book provides an excellent critique of the current changes in international legal thinking and approaches to the development of a legal system for a new world order.

HOVET, T., JR., & E. (editors), *A CHRONOLOGY AND FACT BOOK OF THE UNITED NATIONS, 1941-1979* (6th ed.); Oceana Publications, Dobbs Ferry, NY (1979); \$17.50 (cloth); ISBN 0 379 20680 3, LC 79-26485; xi, 304 p.; documents, tables, abbreviations, indices. Supplements *ANNUAL REVIEW OF UNITED NATIONS AFFAIRS*. Preface to first edition by A.W. Cordier.

Significant events in the history of the United Nations were selected by the editors and tabulated by date in short entries of a few lines each. The subject index allows the reader to trace developments in various areas. Primarily a starting point for the researcher, the book also includes the texts of important documents and numerous tables of memberships, budgets, and other useful information.

LANDSBERG, H., *ENERGY: THE NEXT TWENTY YEARS*; Ballinger Publishing Co., Cambridge, MA (1979); \$9.95 (paper); ISBN 0 88410 092 8 (cloth), ISBN 0 8447 2135 4 (paper), LC 79-5226; xviii, 628 p.; footnotes, charts, tables, glossary, abbreviations, acronyms, appendix, index. Foreword by McGeorge Bundy.

ENERGY: THE NEXT TWENTY YEARS is the final report of the third independent study group commissioned by the Ford Foundation to examine energy problems. The study group, composed of distinguished academicians and businesspeople, relies heavily on basic economic realities, particularly the role of market forces, in considering both traditional and nontraditional energy sources and in making a number of specific policy recommendations. While the energy situation in the United States is the main focus of this information-packed book, energy in an international setting and the implications for the United States are also discussed.

LAQUEUR, W. & RUBIN, B., *THE HUMAN RIGHTS READER*; Meridian Books, The New American Library, 1301 Avenue of the Americas, New York, NY 10019 (1979); \$6.75 (paper); ISBN 0 452 00511 6, LC 79-87938; viii, 375 p.; footnotes, bibliography.

THE HUMAN RIGHTS READER, a reference work and a guide to further study of human rights issues, provides a general overview of human rights through a compilation of essays and original documents. Opening essays discuss historical background and philosophical and legal implications. This is followed by a documentary history of the development of the concept of human rights, touching on such topics as the treatment of aliens, slavery, rights in times of armed conflict, and the rights of minorities. The texts of a number of international agreements are included. The last section, on modern conceptions of human rights, discusses struggles for racial and sexual equality, national self-determination, equal justice under law, environmental protection, and freedom of information. The book includes a very detailed bibliography.

MCDUGAL, M.S., LASSWELL, H.D., & CHEN, L., *HUMAN RIGHTS AND WORLD PUBLIC ORDER*; Yale University Press, 92A Yale Station, New

Haven, CT 06520 (1980); \$45.00 (cloth); ISBN 0 300 02344 8, LC 79-18149; xxiv, 1016 p.; preface, footnotes, appendix, table of cases, name index, subject index.

In **HUMAN RIGHTS AND WORLD PUBLIC ORDER**, subtitled **THE BASIC POLICIES OF AN INTERNATIONAL LAW OF HUMAN DIGNITY**, Professors McDougal, Lasswell and Chen recommend a conception of human rights in terms of the shaping and sharing of values. They illustrate their approach with a detailed examination of important problems concerning respect, which they hold to be the core value of all human rights. The book offers a broad outline of the contemporary global process of authoritative decision, and recommends intellectual procedures for relating fundamental policies about human rights to particular instances of choice. The authors assert that if the appropriate predispositions can be created in effective elites, an international law of human dignity can become a realistic goal.

ROSENNE, S. (editor), **DOCUMENTS ON THE INTERNATIONAL COURT OF JUSTICE**; Oceana Publications, Inc., Dobbs Ferry, NY (1979); \$47.50 (cloth); ISBN 0 379 20460 6, LC 73-91985; xii, 497 p.; revision of earlier edition.

Updated to December 31, 1978, this work is a compilation of documents relating to the International Court of Justice, serving as a handy reference for practitioners, diplomats, students, and politicians. Documents include the U.N. Charter, the Statute of the Court and Rules from 1946 through 1978, with French and English texts. Also included are tables of membership, sections on access to the Court by non-members, jurisdiction, diplomatic privileges and immunities of Court officials, and judicial statutes.

SMITH, D.D., **SPACE STATIONS: INTERNATIONAL LAW AND POLICY**; Westview Press, Inc., 5500 Central Avenue, Boulder, CO 80301, Frederick A. Praeger, Publisher (1979); \$22.50; ISBN 0 89158 654 7, LC 79-13106; xvi, 264 p.; photos, figures, plates, appendices, endnotes, index. Foreword by S. Neil Hosenball.

Mr. Smith assesses the potential legal impact of space stations, including such applications as the gathering, processing, transmission, and dissemination of information; the generation of energy; space colonization; and space manufacturing. Emphasis is placed on institutional concerns regarding ownership and operation. International treaties and conventions and their effects on space station development are analyzed, and current international law and policy issues in the context of operational space stations are reviewed. The author, an attorney, is editor of **SATELLITE COMMUNICATIONS**.

STANLEY, C.M., **MANAGING GLOBAL PROBLEMS**; Stanley Foundation, Muscatine, Iowa 52761 (1979); distributed in U.S. by University of Iowa Press, Iowa City, Iowa 52242; \$12.50 (cloth), \$7.95 (paper); ISBN 0 96031 121 1 (cloth), 0 96031 122 X (paper), LC 79-17797; xi, 270 p.; footnotes, index, bibliography, appendix of acronyms.

global problems. The author suggests various approaches, procedures and mechanisms that are capable of dealing with the global problems discussed. Emphasizing the interrelationships of critical global issues and the importance of dealing with them in a comprehensive manner, the book is directed both to international decisionmakers and to students of decisionmaking processes.

SZABÓ, I., & PÉTERI, Z. (editors), *A SOCIALIST APPROACH TO COMPARATIVE LAW*; A.W. Sijthoff, Leyden, The Netherlands, or Akadémiai Kiadó, Budapest, Hungary (1977); \$24.25; ISBN 90 286 015 70 (Sijthoff), ISBN 963 05 1032 4 (Akadémiai Kiadó); 235 p; footnotes, tables, annex, graph. Foreward by I. Szabó; translated by I. Mora; translation revised by G. Pulay.

Seven Hungarian legal scholars present to Western readers the socialist methodology and theory of comparative law, illustrating the differences between socialist and non-socialist approaches. The spectrum of the contributions is broad, covering topics in criminology, contracts, civil law, theory, government, and private international law.

WILLIAMS, G., *THE PERMANENT ALLIANCE: THE EUROPEAN-AMERICAN PARTNERSHIP, 1945-1984*; Sijthoff & Noordhoff International Publishers, Alphen aan den Rijn, The Netherlands (1977); available in U.S. from Sijthoff & Noordhoff, 20010 Century Blvd., Germantown, MD 20767; \$42.50 (cloth); ISBN 90 286 0466 9 (cloth); xi, 407 p.; appendices and index. Written under a NATO fellowship.

A political and military survey of the post-World War II European-American alliance, this analysis by a British international political scientist traces the course of American involvement in Western Europe from the beginnings of the Cold War, through 1976 and the introduction of Brandt's Ostpolitik, and projects into the future. Mr. Williams sees the coincidence of economic, political, and strategic interests between the U.S. and Europe as making this alliance a natural one despite the inherent conflict between the ideas of Atlantic unity and European integration.

ZWEIGERT, K., & KROPHOLLER, J. (editors), *SOURCES OF INTERNATIONAL UNIFORM LAW: VOL. I, PRIVATE AND COMMERCIAL LAW*; Sijthoff & Noordhoff International Publishers, Alphen aan den Rijn, The Netherlands (1977); available in U.S. from Sijthoff & Noordhoff, 20010 Century Blvd., Germantown, MD 20767; \$105.00 (cloth); ISBN 90 218 9131 X (cloth); xxxii, 1056 p.; footnotes, chronological tables, consecutive English, German, and French texts.

The three-volume compendium attempts to compose a sourcebook which is comprehensive of every text of uniform private international law now in force, without regard to the method of creation of the law. This first, general volume covers different areas of private and commercial law but excludes regional and internal uniform law, such as the Uniform Commercial Code and the unification laws of the Benelux countries; however, the Nordic countries' uniform laws are reproduced. Most public,

procedural, and labor law topics are excluded. Two more specialized volumes, on transportation law and on the law of copyright, competition, and industrial property, are to follow.

