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## Book Notes

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## Book Notes

### Keywords

Interest, Trade Unions, Unions, Legislation, Mineral Resources

## BOOK NOTES

### *Comparative Law*

CAMPBELL, D.L. (editor), *COMPARATIVE LAW YEARBOOK*, Sijthoff & Noordhoff, P.O. Box 4, Wilhelminalaan 12, 2400 MA Alphen aan den Rijn, The Netherlands (1978) \$52.50 (cloth); ISBN 90-286-06785, vii, 345 p. Issued by The Center for International Legal Studies. Foreword by Gustaf Petré.

This first edition of the Comparative Law Yearbook presents works from fourteen international authors on subjects in the international and comparative law fields. Among the issues treated are those dealing with the environment, product liability, European and U.S. company law, socialist criminal procedure, trademarks, enforcement of foreign judgements, equity, and administrative law.

### *Foreign Legal Systems*

BARRY, D., GINSBURGS, G., & MAGGS, P. (editors), *SOVIET LAW AFTER STALIN: SOCIAL ENGINEERING THROUGH LAW*; Sijthoff & Noordhoff, Alphen aan den Rijn, The Netherlands (1978); ISBN 90-286-0318-2; xiv, 335 p.; notes, table of abbreviations, index. Part II of a series by the Documentation Office for East European Law, University of Leyden, FELDBRUGGE, F. (general editor), *LAW IN EASTERN EUROPE*.

This study is the second in a three part series which examines the developments in Soviet law since the death of Stalin. Twelve specialists in Soviet law, including John Hazard, Valery Chalidze, George Ginsburgs, and Peter Maggs, focus their attention on the objectives of Soviet policymakers in using the legal system as a means of social guidance. The methods used and problems encountered in achieving this goal are also analyzed. The areas examined include constitutional law, family law, international commercial law, the use of law in directing social and economic progress, and the administrative system. Taking into consideration the developments reflected in the new 1977 Soviet Constitution, this book contains a valuable and timely evaluation of one of the world's major legal systems.

### *Human Rights*

LEVIE, H.S., *PRISONERS OF WAR IN INTERNATIONAL ARMED CONFLICT*, International Law Studies Volume 59; Naval War

College Press, U.S. Naval War College, Newport, Rhode Island 02840 (1978); available through Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, stock #008-04700257-2; LC 78-5135; 1xix, 529 p.; tables, bibliographies, appendices, index.

Professor Levie studies the rules of law which govern the treatment of prisoners of war. This comprehensive treatise considers the prisoner of war problem from detailed legal, philosophical, and practical perspectives. The treatment of prisoners of war is introduced as an "index to civilization" and one of the major areas of international conflict regulated under the Geneva Conventions. Professor Levie has produced not only an excellent source book but a thoughtful promotion of the principles of humanitarianism as well.

*Immigration and Naturalization*

AMERICAN ENTERPRISE INSTITUTE LEGISLATIVE ANALYSES, ILLEGAL ALIENS: PROBLEMS AND POLICIES; American Enterprise Institute for Public Policy Research, 1150 Seventeenth Street, N.W., Washington, D.C. 20036 (1978); \$2.00 (paper); ISBN 0-8447-0214-5; 33 p.; footnotes.

This publication analyzes general issues related to illegal aliens in the United States. It provides an overview of the legislation currently pending before Congress and gives a brief discussion of alternative proposals. In addition, legislative history concerning immigration legislation since 1952 is given, along with background material focusing on the economic and social impact of illegal aliens in the United States.

*International Business and Taxation*

FAUNDEZ, J. & PICCIOTTO, S. (editors), THE NATIONALISATION OF MULTINATIONALS IN PERIPHERAL ECONOMIES; The MacMillan Press, London (1978); available in the United States from Holmes & Meier Publishers, Inc., Import Division, IUB Building, 30 Irving Place, New York, N.Y. 10003; \$27.50 (cloth); ISBN 0-333-23341-7; ix, 238 p.; footnotes, bibliographical notes, index.

The seven essays in this volume deal with aspects of nationalization in such diverse countries as Cuba, Norway, Tanzania, and Chile. The authors explore the technical issues involved in nationalization as well as the political implications of such actions. The motivation behind various nationalization

policies and the responses by multinationals to these policies are considered throughout the book. Among the authors included are the former counsel to the Governments of Cuba and Chile and the Economic Adviser to the Tanzanian Ministry of Finance during the implementation of Tanzania's nationalization program.

SPANDAU, A., *ECONOMIC BOYCOTT AGAINST SOUTH AFRICA*; Juta and Company, Ltd., P.O. Box 123, Kenwyn 7790, South Africa (1979); 6 Rand (paper); ISBN 0-7021-0988-6; xiv, 200 p.; appendix, name and subject indices.

A White South African's view of the worldwide call for an economic boycott of South Africa. Arguing that economic sanctions would be costly for the boycotting country and that subsidiaries of foreign corporations in South Africa are among the few potential initiators of change, the author dismisses the boycott recommendations advanced by the African National Congress, the Pan African Congress, and the United Nations as "radical demands." Although the author advocates the legalization of Black labor unions and improvements in Black living conditions as a result of the presence in South Africa of enlightened multinational corporations, he does not comment on the prospects for Black political advancement vis-à-vis the current apartheid regime without an international economic boycott.

#### *International Law*

BOYD, J.A., *DIGEST OF UNITED STATES PRACTICE IN INTERNATIONAL LAW IN 1977*; Department of State Publication 8960 (1979); available through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; ISBN 044-000-01720-2, xxxiii, 1158 p.; footnotes, index. Introduction by H.J. Hanswell.

This digest examines in detail a wide range of areas of U.S. international law in 1977 through the use of treaties, case law, statutes, and the interaction of government officials and decisionmakers. Boyd offers the student and the practitioner a good factual guide to U.S. international law in 1977, including chapters in the following subject areas: the individual, state representation, treaties and agreements, jurisdiction and immunities, law of the sea, aviation and space law, diplomatic protection and international claims, economic law, environmental

and health affairs, scientific, educational, and cultural affairs, dispute settlement, legal regulation of the use of force, and private international law.

GOLD, J., *LEGAL AND INSTITUTIONAL ASPECTS OF THE INTERNATIONAL MONETARY SYSTEM: SELECTED ESSAYS*; International Monetary Fund, Washington, D.C. (1979); \$17.50 (cloth); xx, 633 p.; bibliography, indices. Edited by Jane B. Evensen & Jai Keun Oh.

Joseph Gold, General Counsel and Director of the Legal Department of the International Monetary Fund, is the principal draftsman of the First and Second Amendments to the Fund's Articles of Agreement. This volume reproduces, with slight revisions, fourteen essays by the author originally published in separate books and periodicals linked by a new introductory chapter.

The major theme of the essays is the need for an international monetary system, with the Fund at its center, regulated by international law, where the legal and institutional aspects of the system provide flexibility in relation to its evolution, its day-to-day operation, and the handling of crises. The subjects discussed include various facets of reform of the international monetary system, the negotiation of change, techniques of flexibility, "sanctions," collaboration as a source of law, and creation of special drawing rights (SDRs).

HINGORANI, R. C., *MODERN INTERNATIONAL LAW*; Oceana Publications Inc., Dobbs Ferry, N.Y. (1979); \$15.00 (cloth); ISBN 0-379-20439-8; xii, 437 p.; footnotes, appendices, index.

Dr. Hingorani, Professor and Dean of the Faculty of Law at Patna University, seeks to present the "Afro-Asian viewpoint" on basic and emerging aspects of international law. The hundred-plus new members of the community of States are confronted with a world legal system dominated, until recently, by Western nations. Dr. Hingorani believes that developing countries do not reject Western international law in its entirety, but they cannot accept rules which compromise their sovereign, independent status.

LEVI, W., *CONTEMPORARY INTERNATIONAL LAW: A CONCISE INTRODUCTION*; Westview Press, 5500 Central Avenue, Boulder, Colorado 80301 (1979); \$22.00 (cloth), \$10.00 (paper); ISBN 0-89158-184-7 (cloth), ISBN 0-89158-181-1 (paper), LC 78-17340; xix, 391 p.; list of abbreviations, appendices, bibliography, index.

Professor Levi outlines the role of international law within the political processes of the enlarged world community. How states cope with the need for new norms or new interpretations of old norms is a central theme of the text, which is supplemented with a list of readings from the legal literature of the past fifteen to twenty years. Subjects covered include the nature and function of international law, jurisdiction of states, persons in international law, international cooperation, and dispute settlement.

#### *International Organizations*

BUTLER, W. (editor and translator), *A SOURCE BOOK ON SOCIALIST INTERNATIONAL ORGANIZATIONS*; Sijthoff & Noordhoff, Alphen aan den Rijn, The Netherlands (1978); ISBN 90-286-0798-6; xxiv, 1143 p.; notes on translation and sources.

The documents presented in this volume are a direct translation from the original Russian texts of the constitutive instruments, charters, protocols, rules, and agreements of socialist international organizations. Particular attention is devoted to the organization, structure, operation, and agreements of the Council of Mutual Economic Assistance (COMECON). The primary documents of COMECON's sister organizations are included, among them the International Bank for Economic Cooperation, the International Investment Bank, and international industrial, transport, communications, scientific, and technical organizations. Agreements of multilateral economic, scientific, and technical enterprises are also presented.

#### *International Politics and Government*

AMERICAN ENTERPRISE INSTITUTE FOREIGN POLICY AND DEFENSE REVIEW, *Options for U.S. Policy Toward Africa*, (Vol. 1 No. 1); American Enterprise Institute for Public Policy Research, 1150 Seventeenth St., N.W., Washington, D.C., 20036 (1979); \$2.50/issue; ISSN 0163-9927, 76 p.

This inaugural issue of the *AEI Foreign Policy and Defense Review* departs from the approach of other foreign policy jour-

nals by focusing on a single topic for each issue. In this issue, guest editor Helen Kitchen distills from the national debate six options for American policy toward Africa: the Geostrategic Option, the "Afro-Centric" Perspective, the "No-Policy" Perspective, Tempered Idealism, Concern for Credibility, and Helping Africa to Transform Itself. These options are explored through articles and excerpted writings from leading foreign policy thinkers and African statesmen.

BUTLER, D. & RANNEY, A. (editors), *REFERENDUMS: A COMPARATIVE STUDY OF PRACTICE AND THEORY*; American Enterprise Institute for Public Policy Research, 1150 Seventeenth Street, N.W., Washington, D.C. 20036 (1978); \$4.75 (paper); ISBN 0-8447-3318-0, LC 78-22045; 250 p.; bibliography, appendices, list of contributors.

This book surveys and compares the use of referendums in different nations of the world, including Australia, France, Ireland, the Scandanavian countries, Switzerland, the United Kingdom, and the United States. The editors have compiled written contributions from experts in these countries and have focused the study on the politics rather than the law of referendums. In addition, the editors have compiled a statistical table of referendums which have been held on a nationwide level since the 19th century.

LAUBIER, P., *L'AGE DE LA POLITIQUE SOCIALE*; Editions Techniques et Economiques, 3, rue Soufflot — F., 75005 Paris, France (1978); in French; 273 p.; tables, selected bibliography, index of names.

The rise of the theory of socialism in industrialized countries is one of the principal phenomena of nineteenth and twentieth century history. This book presents the socialist principles of Sismondi and examines the development of socialism after the Industrial Revolution from the perspectives of state intervention in national economic affairs and the creation of international socialist organizations. The author presents a synthesis of the major ideologies, actors, and events which together resulted in the evolution of socialism to its present form. Particular attention is devoted to the ideologies prevalent during the 1930's in the Soviet Union, Nazi Germany, Italy, France, and the United States. The study concludes with an

evaluation of issues in present day socialism in the United States and the Soviet Union.

PENNIMAN, H.R. (editor), *ISRAEL AT THE POLLS; THE KNESSET ELECTIONS OF 1977*; American Enterprise Institute for Public Policy Research, 1150 Seventeenth Street, N.W. Washington, D.C. 20036 (1979); \$6.75 (paper); ISBN 0-8447-3305-9, LC 78-22059; 333 p.; footnotes, appendices, glossary of political parties, index.

Twelve authors examine the rise and eventual victory of Menachem Begin's Likud party over the incumbent Labor party in the Israeli elections of 1977. Each chapter addresses a separate aspect or ramification of this conservative drift in Israeli political ideology.

*U.S. Foreign Policy*

AMERICAN ENTERPRISE INSTITUTE FOREIGN POLICY AND DEFENSE REVIEW, *Priorities in U.S. Defense Policy*, (Vol. 1 No. 3); American Enterprise Institute for Public Policy Research, 1150 17th Street, N.W., Washington, D.C. 20036 (1979); \$2.50/issue; ISSN 0163-9927; 36 p.; footnotes, tables.

This issue of the *AEI Foreign Policy and Defense Review* outlines priorities for American defense policy. Articles by former Joint Chiefs Chairman Maxwell D. Taylor, former Newsweek Pentagon reporter Lloyd Norman, and Washington defense policy analyst Steve Canby provide a timely analysis of the vast military and political problems posed by the recent decline of American influence in the strategically critical Middle East. The authors also explore various possible responses that the Pentagon can make to protect American interests in Africa and Western Europe from Soviet adventurism and intimidation. This issue provides a guide for those who wish to understand the current debate occurring in the Administration over the advisability of continuing to rely primarily on the nuclear deterrent in Western Europe as the best method of avoiding conventional war with the Soviet Union.

