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BOOKS RECEIVED*

GENERAL: POLITICAL AND LEGAL

A STANDARD OF 'CIVILIZATION' IN INTERNATIONAL SOCIETY.

By Gerrit W. Gong. New York: The Clarendon Press, Oxford University Press, 1984, pp. xvi, 267. \$32.50.

A period of global ecumene took root in the 1500s. Technological, transportation, military and intellectual reform and modernization transformed the regional isolation of pre-1500 era into European globalism by the nineteenth century.

Increased international contacts mandated a governing body of law which would ensure equitable and pacific relations. The international legal system which evolved was uniquely Eurocentric. It embodied *European* perceptions of world order and fundamental moral views of *European* society. Query, however, what result when this "standard of civilization" was imposed on states holding cultural values divergent from Europe's? *The Standard of "Civilization in International Society"* is an attempt to define the "standard," trace its evolution, and analyze the response of non-European states to this legal principle.

Dr. Gong's penetrating study delves first into the emergence of the concept of a "standard of civilization" in international society. Three chapters comprise Part I. Gong sets the stage by noting the concept's import and by defining it. He then surveys the historical emergence and decline of the "standard of civilization." Gong completes Part I by explaining how this concept was/is embodied in the evolving corpus of international law.

Part II analyzes through six case studies the impact of the "standard of civilization" on the non-European world. Dr. Gong highlights Russia, the Ottoman Empire, Abyssinia, China, Japan, and Siam's response to the imposition of a "standard of civilization."

U.S. NAVAL WAR COLLEGE INTERNATIONAL LAW STUDIES, VOL. 60 (Documents on Prisoners of War). Edited with annotations by Howard S. Levie. Newport, R.I.: Naval War College Press, 1979, 853 pp.

U.S. NAVAL WAR COLLEGE INTERNATIONAL LAW STUDIES, VOL. 61 (Readings in International Law from the Naval War College Review, Vol. II — The Role of International Law and an Evolving Ocean Law). Edited by Richard B. Lillich and John Norton Moore. Newport, R.I.: Na-

* Denotes summary provided in whole or part by the publisher.

val War College Press, 1980, 699 pp.

U.S. NAVAL WAR COLLEGE INTERNATIONAL LAW STUDIES, VOL. 62 (Readings in International Law from the Naval War College Review, Vol. II — the Use of Force, Human Rights and General International Legal Issues). Edited by Richard B. Lillich and John Norton Moore. Newport, R.I.: Naval War College Press, 1980, 758 pp.

Volume 60 is a compendium of relevant official documents (treaties, agreements, statutes, decrees, judicial decisions, military orders, regulations, etc.) concerning prisoners of war in international armed conflict. Included with each document is its title, source, and a brief note. These documents, representing centuries of recorded history, demonstrate that on the whole there has been a steady improvement in the legal status of international prisoners of war.

Volume 61 covers two major themes in international law. The first section of essays by noted scholars discusses the role of international law in the international arena. These essays attempt to clear up misperceptions about international law and its utility in national security decisions. The authors delineate the Realist and Legalist views of international law and try to reach a common ground. Included also are informative essays on Soviet attitudes toward international law. The second section of essays addresses the evolving law of the sea. The scholars present an overview of the subject, and discuss navigation (the territorial sea, regimes of passage and archipelagic claims), continental marginal minerals, fisheries, environmental protection, as well as Soviet, Chinese and Third World views of the law of the sea.

The contributions to Volume 62 focus mainly on the use of force and international human rights. Noted scholars discuss in the first section of essays the issue of permissible and impermissible coercion (intervention, insurgency, counterinsurgency, and force short of war), various aspects of the law of war — *Jus belli* (conduct of hostilities, prisoners of war, war crimes, arms control, the authority to use armed forces abroad, and the control of terrorism). The second section deals with human rights. The authors address the interaction of international law and human rights, and present two case studies on asylum. The volume concludes with a set of essays on general international legal issues. The essays deal with four main areas: jurisdiction and immunities, the status of armed forces abroad, recognition, and trusteeship obligations.

YEARBOOK COMMERCIAL ARBITRATION. Volume VII-1982. General Editor, Pieter Sanders. Deventer, The Netherlands: Kluwer B.V., 1982.

YEARBOOK COMMERCIAL ARBITRATION. Volume VIII-1983. General Editor Pieter Sanders. Deventer, The Netherlands: Kluwer B.V., 1983.

YEARBOOK COMMERCIAL ARBITRATION. Volume IX-1984. General Editor Pieter Sanders. Deventer, The Netherlands: Kluwer Law and Taxation Publishers, 1984.

Each volume represents an overview of the latest occurrences in international arbitration law. The items are cross referenced for simplified research and the most recent 1984 volume, number IX, contains a complete cumulative index of all nine volumes. The Yearbooks are identically organized which further simplifies reference to past years. Part I contains national reports from individual countries on the background and current status of their arbitration laws as well as up-dates to prior national reports from other countries. Part II details the years major arbitral awards. Part III discusses the various model codes and revisions to Arbitration Rules proposed and/or adopted during the year. Part IV addresses the recent amendments to national arbitration statutes. Part V up-dates and extracts recent court decisions on the 1958 New York Convention. Part VI contains general articles on current topics and Part VII is a bibliography including listings of journals on arbitration and of arbitral institutions. The yearbooks provide a consolidated source for both immediate status of arbitration laws and an historical background for any particular development. The articles (Part VI) are generally commentary on changes in the rules or laws of a country covered in that volume and observations on the reported case law changes are also included with these reports in Part V.

EMERGING FINANCIAL CENTERS: LEGAL AND INSTITUTIONAL FRAMEWORK. Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1982, 1150 pp. \$35.00.

This volume analyzes the legal and institutional framework of seven district financial systems: Bahamas, Hong Kong, Ivory Coast, Kenya, Kuwait, Panama, and Singapore. These seven, while unrelated geographically, culturally or economically, have all confronted common problems while developing as financial centers. In doing so they have each established sophisticated financial institutions. This work considers the management and the legal structure of these systems as the possible key to similar success in other areas. A separate section is devoted to each center in which the background to that particular areas development is explained along with the history and much of the texts of its banking and related financial laws.

GENERAL: MILITARY, TECHNOLOGICAL AND SCIENTIFIC

COMPUTER TECHNOLOGY AND THE LAW. By John T. Soma. Colorado Springs, Colo.: Shepard's/McGraw-Hill, 1983, 486 pp.

After a brief overview of the emergent role of computers in society in Chapter 1, this book turns its attention to the major legal issues involved in computer usage. The work covers eight substantive areas in which the law and computers interface. Chapter 2 deals with the realm of patent, copyright, and trade secret law, and the legal protection of software. Chapter 3 examines the legal and economic aspects of computer contracts. Chapter 4 considers the effect of antitrust law on the computer industry. Chapter 5 probes into communications regulation and computers. Chapter 6 assesses the legal and technical effects of computers on individual privacy. Chapter 7 delves into the expanding area of computer crime. Chapter 8 identifies legal and economic problems with the computerization of banking. Chapter 9 takes on an international flavor, considering problems in the foreign trade of computers, high technology, and electronic products. Finally, the author gazes into the future, by forecasting future trends in the area of "computer law." The work includes abundant documentation, and analyzes relevant recent cases.

INTERNATIONAL ARMS CONTROL: ISSUES AND AGREEMENTS, 2ND ED. Edited by Coit D. Blacker and Gloria Duffey. Stanford, CA: 502 pp., Index — \$45.00 cloth, \$16.95 paper.

International Arms Control: Issues and Agreements is a revision of a 1976 study on arms control put out by the Stanford Arms Control Group. The second edition updates the previous one and includes three new chapters on arms control topics, including the relationship between arms control and moral issues, an examination of the arms control process, and a study on strategic arms limitation negotiations, specifically SALT and START.

The second edition, unlike the first, is divided into three parts: a background scenario section on arms control, including the political, legal, ethical, and economic contexts in which arms control issues arise; a section on nuclear and strategic arms control; and, a section on regional and conventional arms control. There are also comprehensive appendices on arms control terms and acronyms, disarmament fora, and texts of major arms control agreements. In addition, there is an index and a listing of further suggested readings.

The book is an exceptional primer on arms controls and disarmament and would be an important addition to university course reading lists.

GENERAL: SOCIAL, ECONOMIC AND GLOBAL SYSTEMIC

OCEAN YEARBOOK 4. Edited by Elisabeth Mann Borgese and Norton Ginsburg. Chicago, Ill.: The University of Chicago Press, 621 pp. \$49.00*

Man is still at the threshold of understanding how to make the most effective and equitable use of ocean space and resources. Since the end of World War II, issues and policies pertaining to the oceans have become increasingly complex, encompassing matters of law, economics, geography, oceanography, marine biology, industrial management and international politics.

Ocean Yearbook 4 is an information resource for those concerned with the law of the sea. It provides in a concise series of hardcover annuals a central source of facts and reliable generalizations about the oceans. The Yearbook assesses the wealth, health, management, strategic importance and future of the world's oceans. Its articles give an authoritative, up-to-date review of major issues and its appendices, which occupy approximately forty percent of each volume, provide a compendium of reports, documents and technical data culled from dozens of sources. The following learned scholars and titles top the list of Ocean Yearbook 4: Elisabeth Mann Borgese, "The Convention is Signed: What Does the Future Hold?" and "The Law of the Sea: Its Potential for Generating International Revenue"; Gunnar Saetersdal, "Problems of Managing and Sharing of Living Resources under the New Ocean Regime"; G. L. Kesteven, "Latin American Fisheries"; S.N. Dwivedi and Nicholas P. Dunning, "Progress and Potential of Aquaculture: A Note on Developments in India"; Roger H. Charlier, "Water, Energy, and Nonliving Ocean Resources"; Bernhard J. Abrahamsson, "Merchant Shipping in Transition: An Overview"; M.J. Shah, "Model Maritime Legislation for Developing Countries: The UNCTAD Experience"; Alexander Yankov, "A General Review of the New Convention on the Law of the Sea: Marine Science and its Application"; Intergovernmental Oceanographic Commission, "Ocean Science for the Year 2000"; Nikki Meith and Richard Helmer, "Marine Environment and Coastal Resources in Southeast Asia: A Threatened Heritage"; Advisory Committee on Pollution of the Sea, "Pollution of the Sea: Excerpts for ACOPS Annual Report 1981"; Solange Petit-Skinner, "Traditional Ownership of the Sea in Oceania"; Peter Harrison, "Offshore Oil and Gas: Development, Transportation, and Coastal Impacts"; Michael A. Morris, "Structure and Prospects of Latin American Navies"; Martin Ira Glassner, "The Transit Problems of Landlocked States: The Cases of Bolivia and Paraguay"; Reynaldo Galindo Pohl, "Latin American Contribution to UNCLOS III: A Reflection"; plus Reports from Organizations, Selected Documents and Proceedings, Tables of Living Resources, Tables of Nonliving

Resources, Tables of Transportation and Communication, and Tables of Military Activities.

THE FISH FEUD: THE U.S. AND CANADIAN BOUNDARY DISPUTE.

By David L. VanderZwaag. Lexington, Mass.: D. C. Heath and Company, 1983, 135 pp.*

The United States-Canada relationship over the East Coast fisheries is in a state of divorce. Canadian fishermen are banned from fishing in U.S. waters. American fishermen are banned from fishing in Canadian waters. A fish feud has occurred in the disputed zone of Georges Bank. U.S. fishermen have harvested with little regulation, and Canadian fishermen have operated under relaxed regulations. Although both countries have agreed to settle the boundary dispute before a Chamber of the International Court of Justice, American interests have refused to negotiate with Canada on an interim fisheries agreement, at least until the boundary is settled.

Once the boundary is settled, the potential for conflict will not abate. Fish stocks will not pledge allegiance to either country but will insist on dual citizenship and the right to transborder travel without restraint. Canadian fishermen could seek to vacuum the fish stocks while the fish are on Canadian holiday. American fishermen could seek to hoard the fish stocks while the fish are on American tour. Overfished and exhausted fish stocks could be the result.

How may Canada and the United States avoid such a situation? How should they cooperate over fishery management in the future? These are the questions this book attempts to answer. Chapter 1, after summarizing the geography and oceanography of the Gulf of Maine-Georges Bank region, reviews the distributions and landings of the major fish stocks and isolates those stocks with the greatest conflict potential. Chapter 2 explores the U.S. fisheries-management regime. Chapter 3 highlights the Canadian fisheries-management system. Chapter 4 analyzes the ill-fated East Coast Fisheries Agreement in 1979. Chapter 5 concludes by proposing future options for linking the Canadian and American fisheries-management systems.

NON-PRICE DECISIONS: THE FIRM IN A MODERN CONTEXT. By A. Koutsojiannis. New York: St. Martin's Press, 641 pp. \$40.00.

Major changes in the economic environment and the competitive behavior of firms in the last three decades have rendered traditional microeconomic theory obsolete. Oligopoly has become the main market structure in the industrialized Western countries; non-price competition has become more important than price competition; growth has become the

main goal of large corporations. A sequel to *Modern Microeconomics* (analysis of price decisions), *Non-Price Decisions* is intended to be an extension of the material covered in traditional microeconomic textbooks. Professor Koutsojiannis analyzes recent developments and endeavours to present simultaneously the various decisions of the firm in an integrated framework. He terms this weaving of operating, growth and financing decisions as an "interdisciplinary" approach.

Non-Price Decisions is divided into four parts. Part One, non-price competition strategies, focuses on two fundamental aspects: product strategy and selling strategy. The expansion of oligopolistic markets has resulted in frequent product changes. Economic efficiency requires the firm to choose an optimum product cycle. Advertising and other selling activities, which have created significant controversy, aim at shifting the demand curve for the product of the firm and making it less elastic.

Part Two analyzes the growth decision of the firm. Internal expansion encompasses increasing the quantity or diversification of existing products, vertical integration of existing productive processes, or complete diversification into a new product line. External expansion may take the form of horizontal integration, vertical integration, or conglomerate merger. Koutsojiannis approaches internal and external expansion from the perspective of both domestic and international markets.

Part Three examines the financing decisions of the firm. The growth decision implicitly involves the decision to raise capital to finance the growth. This may be accomplished by external financing (issuance of shares and issuance of bonds) or internal financing (retained profits). The financing decisions involve the determination of the optimal mix of the various sources of funds required, i.e., the determination of an optimal debt/equity ratio (capital structure decision) and an optimal dividend/pay-out decision (retention-dividend policy).

Part Four reviews decision-making under risk and uncertainty. First, the traditional "isolationist" theory is examined through the utilization of various decision-making models. Then, modern "portfolio" theory is analyzed both through the "firm-risk approach" and the "investor-risk approach."

The comprehensive theoretical treatment of each topic is followed by a thorough survey of the main empirical studies in each area. Material covered is presented verbally with extensive illustrative diagrams.

THE CLOSED SHOP. By Charles Hanson, Sheila Jackson, and Douglas Miller. New York: St. Martin's Press, 1982, 264 pp.

The authors, through their combined efforts, explore in detail the development of union security and the closed shop in Britain, West Germany,

and the United States. "Closed shop" is a generic term referring to various practices containing the common element that to obtain or retain a job an employee is required to join a union. Attitudes toward the closed shop and the ways in which governments attempt to regulate, or not, differ widely from country to country. Considerable differences exist in the public policy as expressed in the law of the three countries. The authors analyze the translation of the law into industrial reality, examining the custom and practice of the closed shop in each country.

The authors adeptly analyze empirical evidence, reaching the conclusion that a distinction must be made between those areas of employment where closed shops tend to develop naturally with or without the encouragement of employers and those areas where direct legal intervention has a definite impact. Hanson (Britain), Jackson (U.S.A.), and Miller (West Germany) each concentrate on their particular part, but each also lends ideas to one another. On the whole, the collaborative effort comes off quite well.

U.S. NAVAL WAR COLLEGE INTERNATIONAL LAW STUDIES, VOL. 61 (Readings in International Law From the Naval War College Review Vol. II — The Role of International Law and An Evolving Ocean Law). Edited by Richard B. Lillich and John Norton Moore. Newport, R.I.: Naval War College Press, 1980, 699 pp.

See Section 1. General: Political and Legal.

EMERGING FINANCIAL CENTERS: LEGAL AND INSTITUTIONAL FRAMEWORK. Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1982, 1150 pp. \$35.00.

See Section 1. General: Political and Legal

AFRICA

EMERGING FINANCIAL CENTERS: LEGAL AND INSTITUTIONAL FRAMEWORK. Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1982, 1150 pp. \$35.00.

See Section 1. General: Political and Legal.

ASIA AND THE PACIFIC

BUSINESS NEGOTIATIONS WITH THE JAPANESE. By Rosalie L. Tung. Lexington, Mass.: D. C. Heath and Company, 1984, 250 pp.

Based on information from a survey of 114 U.S. firms dealing with

Japan, this book explores the processes involved in U.S.-Japan business negotiations and the general problems of doing business in Japan. Professor Tung studies and identifies, *inter alia*: (1) the mechanics of such business negotiations; (2) how U.S. companies prepare for the negotiations; (3) the factors that contribute to success or failure of such negotiations; (4) how U.S. companies organize for trade with Japan; and (5) how a select number of U.S. firms from different industries have negotiated with Japanese companies to establish joint ventures or other forms of economic cooperation.

CHINESE YEARBOOK OF INTERNATIONAL LAW AND AFFAIRS, VOLUME 2 (1982). Edited by Hungdah Chiu. Chinese Society of International Law (Distributed by Baltimore, Md.: Occasional Papers/Reprints Series in Contemporary Asian Studies), 1983, 432 pp. \$10.00 hardcover.

The Chinese Yearbook of International Law and Affairs, Volume 2 (1982) contains four sections: articles, recent developments, contemporary practice and judicial decisions of the Republic of China (ROC) relating to international law, and book reviews.

In the Articles section, citing a renewed interest in the oil exploration in the continental shelf of the East China Sea, the editors included two articles dealing with the implication of the presence of the Tiao-yu-t'ai Islands on delimitation of the maritime boundary there. Dr. K. T. Chao's article emphasized the historical and legal claims to the Islands asserted by both China and Japan, while Dr. Ying-jeou Ma's piece dealt primarily with the relevance of the Islands in delimitation of the maritime boundary there, with special reference to the implication of relevant provisions of the 1982 United Nations Convention on the Law of the Sea and the Tunisian-Libyan Continental Shelf Case decided by the International Court of Justice in 1982.

A major issue between the United States and the People's Republic of China in 1982 was the arms sales to Taiwan. Needless to say, this issue is also of vital importance to the Republic of China. Dr. Lyu-shun Shen's article makes an analytical study of this issue, while Hungdah Chiu collected and annotated all relevant documents, including an interpretation of the August 17, 1982 Joint Communique by American President Reagan and the Department of State and the Republic of China's response to the Communique, in the section on recent developments. On the history of international law in China, a subject usually ignored in recent Chinese literature, Mitchell A. Silk makes an interesting study on the 1895 Treaty of Shimonoseki, which included the cession of Taiwan to Japan, and international law at that time, drawing upon both vast Chinese and Western literatures.

In the Current Developments section, in addition to selected documents

on United States arms sales to Taiwan, David Simon presented a useful and concise study of American cases and regulations which may affect Taiwan's exports to the United States between June 1, 1981 to July 31, 1983. One of the major legal developments in the Republic of China in 1982 was the amendment of the Criminal Procedure Code to allow a suspect to hire a lawyer immediately upon his/her arrest. Previously, a suspect could only hire a lawyer when the public prosecutor decided to prosecute him/her. Dr. Jyh-pin Fa traced the legislative history of the amendment, the arguments among Chinese legal scholars on this issue, and the implication of this amendment on the administration of justice. All provisions of the amended articles of the Criminal Procedure Code were translated by Tzu-wen Lee and attached to Dr. Fa's essay.

The Contemporary Practice section included many documents relating to current issues, such as the Republic of China's membership at the Asian Development Bank, the self-executing question of the 1946 Sino-American Treaty of Friendship, Commerce and Navigation before the Chinese court (The Apple Computer II case), the capacity of an unapproved foreign corporation to sue before a court in the Republic of China, and extraterritorial effects of the Law of National Compensation.

The Book Review section included books in the area of: public and private international law, comparative law, and international law. Many of the books were in Chinese.

THE REPUBLIC OF CHINA AND U.S. POLICY: A STUDY IN HUMAN RIGHTS. By A. James Gregor and Maria Hsia Chang. Washington, D.C.: Ethics and Public Policy Center, 1982, 160 pp. Index. \$7.00 paperback.*

The twentieth century has seen gross violations of basic human rights with an alarming frequency. Millions have been murdered; whole populations have been forced to flee from their homelands. Most of the mass murder and mass expulsion has been perpetrated by totalitarian systems that deny the very concept of inherent human rights. In Hitler's Germany, Stalin's Soviet Union, Mao Tse-tung's China, Castro's Cuba, and Pol Pot's Kampuchea, in socialist Vietnam and Marxist Laos, the murder and expulsion of thousands and millions resulted not from revolutionary violence but from cold, calculated government policy.

The human rights arena has become the battleground for two fundamentally different conceptions of government, with the Soviet Union and the People's Republic of China the principal spokesmen for one, and the United States and its close allies the principal spokesmen for the other. The democratic powers believe that to treat some civil and political rights as "inherent" gives the individual substantial protection against the superior

strength of the state and permits a system to be responsive in meeting its people's needs. In totalitarian systems, the interests of the individual are presumed to be identical with those of the state. There are no inherent human rights; there are only rights granted by the state and limited by "duties" designed to protect the prevailing system.

Similarly, the two blocs differ fundamentally in their conceptions of law. In Western tradition, law is universal in character and disinterested in application. But according to Marxist teaching, law represents the will of the dominant class. In a Marxist regime this means the will of the proletariat — as defined by the self-proclaimed spokesmen of that class, the Party. A constitution, in Marxist terms, is an ideological manifesto designed to protect and enhance the power of the ruling elite, rather than — as in pluralistic systems — a contract between an aggregate of individuals with civil and political rights and the government they create.

Any American human rights initiative must recognize three major types of regimes: (1) open, competitive, and pluralistic systems; (2) non-competitive, mostly revolutionary Marxist, elitist systems; and (3) "authoritarian" regimes, ranging from simple political obscenities like that of Idi Amin in Uganda, through military juntas and traditional monarchies, to regimes that appear to be attempting to move from semi-competitive to mature competitive systems. It is the members of this last class, semi-competitive authoritarian systems, that are most susceptible to outside influence. Communist revolutionaries make every effort to undermine them. How the United States treats these semi-competitive systems may well determine whether they collapse under revolutionary pressures into non-competitive "people's democracies" or move to more responsible forms of government.

In authoritarian systems, though rights may be violated, the existence of inherent human rights is acknowledged; the infractions are almost always violations in practice, while those in totalitarian regimes are violations in principle. When authoritarian rulers in Chile, Turkey, Greece, or South Korea violate rights, their actions are usually characterized as temporary and exceptional, warranted only by extraordinary circumstances. Almost all democratic constitutions allow limitations on rights when the very survival of the state is threatened.

When the Nationalist Chinese government moved to the island of Taiwan in 1949, after the Communist victory on the Chinese mainland, it brought a legacy of democratic principles. Sun Yatsen, founding father of the revolutionary republic that in 1911 overthrew the dynastic system that had ruled China for thousands of years, had been strongly influenced by American and British political principles during his student days.

The 1946 constitution of the Republic of China (ROC) provides for a democratic system in which elected officials execute the will of the people. However, because of the grave problems the ROC faced after the move to

Taiwan, the government declared a state of emergency in May 1949 and imposed limitations on civil and political rights. On the mainland, the Communist People's Republic of China (PRC) made no secret of its intention to invade Taiwan. The ROC authorities knew that an invasion would culminate in massive bloodshed; by official Chinese Communist estimate, after the victory of Mao Tse-tung's forces on the mainland as many as five million persons were "eradicated." An invasion would also mean the extinction of the republic.

Technically the ROC remains at war with the Peking regime. The PRC has almost a ten-to-one superiority in military personnel and is vastly superior in military equipment. Moreover, since the Taiwan economy is almost totally dependent on foreign trade, a naval blockade could strangle it into submission. Because the conflict is ideological, there is also a threat of internal political subversion — a process that the Nationalists saw used with great success on the pre-1949 mainland.

The legal limitations on civil and political rights in the ROC have been used with restraint, and the scope of military jurisdiction over civilian affairs has been gradually reduced. There is a relatively free flow of information, with free access to a variety of news sources. Public criticism of the government is increasingly tolerated. Government officials below the national level are chosen in general elections.

At the national level, the central government is still designed to serve all of China, including the "occupied provinces" on the mainland, and so the structure brought from the mainland in 1949 is maintained. Most of the mainland representatives were elected in 1947. Their numbers have shrunk drastically through death and infirmity, and they are increasingly nonrepresentative. But to replace them with representatives elected by popular vote would be an implicit abandonment of the Nationalists' claim to represent the entire Chinese population and would undermine the political vision of a "return to the mainland." ROC authorities expect that economic failure and political instability will ultimately dissolve the Communist rule, and the mainland provinces will then be reunited with Taiwan under Sun Yat-sen's democratic principles.

Since 1980 the ROC government has been committed to regular national elections, and in the 1980 election the number of native Taiwanese in the national legislative bodies was greatly increased. The democratic process in Taiwan is clearly irreversible.

The story of the Republic of China on Taiwan suggests that American political ideals can be most influential in developing countries through economic assistance and low-profile legal counseling. Through effective joint programs in agricultural development or industrial planning, the principle of popular participation can be associated with successful results, as was done in Taiwan. This inevitably affects the political process.

The U.S. interest in furthering the cause of human rights in evolving authoritarian systems is best advanced when it is coupled with a concern for the stability of the system. The cause of human rights can most effectively be promoted at the working level of aid agencies and area desks, rather than through public scolding and appeals to abstract ideals — which often sound threatening or destabilizing and always have a tinge of arrogance.

Human rights concerns should be incorporated into every aspect of U.S. humanitarian, security, and development assistance. But that involvement must be discreet and substantive rather than punitive and hortatory. Politics that in effect encourage offending states to seek accord with the Soviet Union serve neither the cause of human rights nor U.S. interests.

Communism on the Chinese mainland today is little different from the Communism that has endured there for over three decades. The PRC is as “unfree” today, its people are bereft of civil and political rights, as in the past. The temporary “liberalization” that took place after normalization of relations with the United States has been suppressed. “Dissident” publications have been banned, and the news media are rigorously controlled. Unknown numbers of political prisoners still languish in “thought reform” camps.

In the U.S. view, relations with the PRC are essential to counter-balance Soviet expansion in Asia. But this relationship should not suggest that Washington acquiesces in Peking’s human rights behavior.

Whatever the temporary political accommodations dictated by circumstances, there is a distinction between political communities that are intrinsically committed to providing civil and political rights and those that are fundamentally opposed to providing them. This basic distinction helps us sort out real or potential allies from adversaries. By this measure, the Republic of China on Taiwan remains a crucial ally of the United States and other Western nations in the pursuit of greater human liberty.

THE PEOPLE’S REPUBLIC OF CHINA, INTERNATIONAL LAW AND ARMS CONTROL. By David Salem. Baltimore, Md.: Occasional Papers/Reprints Series in Contemporary Asian Studies (Maryland Studies in East Asian Law and Politics, No. 3), 1983, 315 pp. Index. \$7.00 paperback. \$15.00 hardcover.

The People’s Republic of China, International Law and Arms Control renders perhaps the most comprehensive treatment of China and its dealings in the two areas of international law and arms control. This exhaustively documented study addresses the mainland Chinese legal system and the related legal problems that may arise as the result of the presence of an arms inspectorate on Chinese territory, including the interplay of the PRC criminal system, the Chinese affinity for secrecy, and the Chinese treatment

of official representatives of foreign states and international organizations.

EMERGING FINANCIAL CENTERS: LEGAL AND INSTITUTIONAL FRAMEWORK. Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1982, 1150 pp. \$35.00.

See Section 1. General: Political and Legal.

THE MIDDLE EAST

OAPEC. By Abdelkader Moachou. Translated by Antony Melville. New York: St. Martin's Press, 1983, 198 pp.*

The Organization of Arab Petroleum Exporting Countries (OAPEC) plays an important role in furthering the aims of the new international economic order. Abdelkader Moachou, the chief advisor to OAPEC from Kuwait, outlines its structure and its role in furthering the aims of its member countries. *OAPEC* focuses on the newly created judicial branch and on the economic activities of this important Arab organization. Moachou also discusses its contribution to the general intellectual climate of the area, and the future of the organization.

TURKEY — OECD ECONOMIC SURVEY, 1983-84. The Organisation for Economic Co-operation and Development. Paris: OECD Publications, 1984, 66 pp.

This survey reports on the economic performance of Turkey in 1983. Part I examines current economic trends. Part II looks into fiscal and monetary policy. Part III discusses the new economic programme. Part IV follows with a forecast of economic trends in 1984. Part V summarizes policy conclusions.

EMERGING FINANCIAL CENTERS: LEGAL AND INSTITUTIONAL FRAMEWORK. Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1982, 1150 pp. \$35.00.

See Section 1. General: Political and Legal.

LATIN AMERICA

EL SALVADOR AND ECONOMIC INTEGRATION IN CENTRAL AMERICA: AN ECONOMIC STUDY. By Gabriel Siri. Lexington, Mass.: D.C. Heath and Company, 1984, 206 pp.

The Central American economies sit in highly vulnerable positions.

First, growth and stability are a function of outside factors (such as, the world prices of a few agricultural commodities and demand conditions in developed countries) and beyond domestic control. Second, these economies are highly susceptible to world inflation.

In terms of options available, the situations look bleak. Domestic constraints in El Salvador are overwhelming. A small internal market, dense population, lacking agricultural frontier and depleted easy gains from the Common Market exacerbated the situation. International factors, such as the great world inflation of 1973, the world recession of 1974-75, and the deterioration in the terms of international trade in the late 1970s vexed even more economic development.

El Salvador and Economic Integration in Central America focuses on the measurement of the interrelationships between the chief macroeconomic variables of the Central American countries, especially those of El Salvador. The book also delves in the linkages between the small Central American economies.

THE HAITIAN ECONOMY: MAN, AND LAND MARKETS. By Mats Lundahl. New York: St. Martin's Press, 1983, 290 pp. \$27.50.

Haiti remains a very poor country with vexing economic problems. With a per capita income as low as \$260 (U.S.) in 1979, Haiti is the only Latin American country that falls below the "middle income" category in the World Bank classification of LDCs.

Mats Lundahl, an eminent authority on the subject, examines the Haitian economy. He places it in its historical context, and explores its poor performance. He reports on the agricultural sector, which has failed to provide enough food for the population, and which has also failed to provide an adequate standard of living for those involved in it. He also analyzes the structure of agricultural production and explains why the land is so unproductive. Last, he outlines the influence of technology on agricultural development.

EMERGING FINANCIAL CENTERS: LEGAL AND INSTITUTIONAL FRAMEWORK. Edited by Robert C. Effros. Washington, D.C.: International Monetary Fund, 1982, 1150 pp. \$35.00.

See Section 1. General: Political and Legal.

NORTH AMERICA

INTERNATIONAL OPPORTUNITIES AND THE EXPORT TRADING COMPANY ACT OF 1982. By Dennis Unkovic, Nancy LaMont and John

Maher. Washington, D.C.: The Bureau of National Affairs, 1984. \$50.00.

This portfolio, the thirty-seventh in the Bureau of National Affairs's (BNA) Corporate Practice Series, examines the Export Trading Company Act of 1982. This Act encourages the development of export trading companies by limiting the application of U.S. laws to export activities and by authorizing banks to invest in export trading companies. The portfolio analyzes, in great detail, the permissible bank involvement in export trading companies, government services available to exporters, the impact of the Act on antitrust practice; and the Export Trade Certificate Review process. It also provides the practical information necessary in order to take advantage of the Act's provisions. Included for attorneys to corporations that engage or plan to engage in exporting are: texts of the Act, relevant U.S. laws and regulations; essential "how-to" advice; a sample filing for an Export Trade Certificate of Review; and actual issued certificates.

MANUAL OF FOREIGN INVESTMENT IN THE UNITED STATES.

Edited by J. Eugene Marans, Peter C. Williams, Joseph P. Griffin, and Joseph E. Pattison. Colorado Springs, CO: Shepard's/McGraw-Hill, 1984, 582 pp.

This newly revised and expanded version of the 1980 edition contains several new articles, including articles on the Foreign Investment in Real Property Tax Act of 1980, the restrictions on foreign investment in real property, and state Buy American laws. The articles from the prior edition have been rewritten or substantially updated. The eleven articles of Part I discuss the general restrictions on foreign investment imposed by various federal and state regulations. Much of the more specific material, regarding the foreign investors ability to participate, has been reorganized by business activity rather than by the state-to-state analysis of the prior manual. This change is reflected in Part II of the book, which details the limits on foreign investment in special industries through eight separate articles.

THE FISH FEUD: THE U.S. AND CANADIAN BOUNDARY DISPUTE.

By David L. VanderZwaag. Lexington, Mass.: D.C. Heath and Company, 1983, 135 pp.

See Section 3. General: Social, Economic and Global Systemic.

THE SOVIET UNION AND EASTERN EUROPE

EAST-WEST TRADE AT A CROSSROADS: ECONOMIC RELATIONS WITH THE SOVIET UNION AND EASTERN EUROPE. By Robert V. Roosa, Michiya Matsukawa, and Aimin Gutkowski. New York: St. Mar-

tin's Press, 1982. 119 pp. \$15.00.

This report is an in-depth analysis of the future direction of East-West trade, and was presented by the task force to the Trilateral Commission, an organization of private citizens of Western Europe, Japan, and North America formed to foster closer cooperation among these three regions. The study attempts to outline an approach in trade and financial affairs which would be suitable for a Western strategic doctrine presuming: "1) an overriding need to maintain peaceful conditions, 2) a continuing need for a balanced stand-off in military capability, and 3) an unrelenting rivalry between the two sides in attempting to extend the influence of their competing political systems." Section I describes the trends of trade and capital flows between the West and East during the postwar period. Section II provides a detailed analysis of key economic sectors in which future expansion of trade is most likely. The final section focuses on practical policies for future economic relations. The authors conclude that (1) expanded trade would not weaken Western security, (2) economic dynamism assures superior Western economic strength, and (3) expanded trade would provide valuable markets and resources for the West.

REGIONAL INTEGRATION IN EAST AND WEST. Edited by Christopher T. Saunders. New York: St. Martin's Press, 1983, 272 pp. \$32.50.

This book is the product of papers and contributions to the discussions presented at the seventh workshop on East-West European Economic Interaction organized by the Vienna Institute for Comparative Economic Studies. Twenty-five eminent economists, civil servants and businessmen, from twelve countries in East and West Europe and North America, participated.

The book assesses the aims and results of the progressive integration of national economics, in both East and West Europe. The volume provides a critical analysis of the strengths and weaknesses of the two leading integration systems, the European Economic Communities and the Council for Mutual Economic Assistance. The authors rethink the prospects for further progress and put forth new policies to meet the challenge of the future.

WESTERN EUROPE

THE EURODOLLAR MARKET AND THE YEARS OF CRISIS. By Daniel R. Kane. New York: St. Martin's Press, 1983, 189 pp.

The Eurodollar market is an international market which accepts and places short and medium-term dollar deposits. However, its physical plant

remains amorphous. It occupies no fixed physical location, comprising only a network of telephone and telex circuits that link various financial centers throughout the world. While many students of the market have described its structure and function, professional economists have generally overlooked its myriad functions and nature.

The Eurodollar Market and the Years of Crisis fills the gap in the literature. It examines the market's role in international monetary developments, and the Eurodollar market within the context of the international monetary crises of 1968-74. The author clearly defines the technical details of the market's structure and function. He also presents a detailed and systematic chronological investigation of the market's role from its inception in 1958 up to the present.

EUROPEAN MONETARY UNION: PROGRESS AND PROSPECTS. Edited by M. T. Sumner and G. Zis. New York: St. Martin's Press, 1982, 266 pp. \$27.50.

Over the last ten years or so the European monetary union has been abandoned, forgotten, and then dramatically revived, upon the Werner Committee's recommendation, in both academic and political circles. The members of the European Economic Community (EEC), finally implemented this union in the European Monetary System.

European Monetary Union: Progress and Prospects examines the system's evolution and assesses the probability for continued progress towards complete monetary union from both political and economic standpoints. The essays explore the reasons for the breakdown of the Werner strategy; consider the implications for alternate routes toward monetary unions that might be pursued in the future; trace the system's revival; examine the European Monetary System in depth; and consider the situations which will arise if further developments do not take place.

COMMERCIAL DISTRIBUTION IN EUROPE. By John A. Dawson. New York: St. Martin's Press, 1982, 244 pp.*

The physical distribution of products is an important element in the marketing operations of all productive enterprises. In many cases efficient distribution is the most important single factor leading to success.

The distributive sector of the economy in the European Economic Community (EEC) employs around fifteen percent of the labor force in supplying the needs of 250 million consumers. Distribution in the EEC is undergoing radical changes as consumers, retailers and wholesalers respond to the economic and social developments which have taken place in the last twenty years. With the emergence of post-industrial society the role of dis-

tribution is changing and increasingly it is viewed as a generator of wealth in the economy. In taking on the status of a growth industry, distribution is attracting the interest of public policymakers anxious to influence investment, employment and efficiency in the sector.

Commercial Distribution in Europe isolates the major trends affecting the main institutions in distribution and contrasts the processes of change amongst the countries and regions of the EEC. Structural change in the industry is related to spatial change in the region and comparisons made of the varied public policy responses, in member countries, to common problems.

REGIONAL INTEGRATION IN EAST AND WEST. Edited by Christopher T. Saunders. New York: St. Martin's Press, 1983, 272 pp.

See Section 9. The Soviet Union and Eastern Europe.

