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BOOKS RECEIVED

GENERAL: POLITICAL AND LEGAL

VISIONS OF WORLD ORDER: BETWEEN STATE POWER AND HUMAN JUSTICE. Julius Stone. Baltimore, MD: The Johns Hopkins University Press, 1984, 245 pp.

Professor Julius Stone sets out to explore the dilemma of trying to determine a concept such as international law. Principally, he focuses on the distinction between trying to define an international law based on people and one based on states. He favors a law based on people, but recognizes that such a homeocentric conception of international law is difficult because of the barriers erected by states.

In his first chapter, Professor Stone introduces the topic by examining the role of communications in defining international law and by showing that the difficulty, if not impossibility, of communication among the people's of the world stands in the way of a true international law. In the three succeeding chapters, he examines the theories of three other writers on the subject: that of Wilfred Jenks which he calls the "Common Law of Mankind"; that of M.S. McDougal called the "World Power Process"; and that of Richard Falk called the "Growing Planetary Consciousness." The difficulty, he finds, of these theories is in trying to distinguish the nation-state and the people within the nation. The sixth chapter sets this criticism out more fully and suggests that writers on international law are reaching incomplete conclusions by ignoring this distinction.

The remainder of the book views this distinction in a variety of contexts. The relationship between the people and the state in closed and open societies is examined in the seventh chapter, which also recognizes the strategic advantage of closed states in matters such as the stockpiling of arms. From there, he broaches a discussion of the equality of nations maxim and finds that it is fundamentally false. Three other chapters center on the duties of a state to its people and to the peoples of other nations, setting forth the proposition that it is the duty of the developed nations of the world to bring the less developed nations to some standard of development, economically and politically. Unfortunately, even though many Western nations attempt to fulfill this duty, he recognizes that the Soviet and Eastern bloc states have not. Finally, Professor Stone summarizes his points in a final chapter and includes a series of appendices setting out the various treaties, resolutions, and charters to which he has referred.

ALERTING AMERICA: THE PAPERS OF THE COMMITTEE ON THE PRESENT DANGER. Edited by Charles Troler, II. Washington, D.C.: Pergamon-Brassey's, 1984, 377 pp.

In 1976, the Committee on the Present Danger came together, intent on informing the American people and leadership of the dangers presented by the build up of weapons in the Soviet Union. Nearly ten years later, this book collects the papers issued by the committee over the period from 1976 to 1984. The committee presents essays that assess the strength of the United States vis-à-vis the Soviet Union and advocate a fresh military build up in the United States to meet the perceived Soviet threat.

The papers can be grouped into three categories. The first group provides a general analysis of Soviet and American strength. The second group offers criticism of the Salt II treaty. The final group presents an analysis of President Ronald Reagan's current defense policies.

If their rhetoric is ignored, a great deal of value can be found in the papers in the first group. They contain a wealth of information on Soviet capabilities, much of which is not common knowledge. Since the papers were generated over a period of years, comparison among them demonstrates a continued build up of arms in the Soviet Union. The Committee's analysis of this build up, which is couched in alarmist rhetoric, may well be excessive. Nonetheless, the current balance of power and the impending perceived superiority of the Soviet Union do merit attention and consideration.

The second group of papers, which criticize the Salt II Treaty agreements, are less interesting since the treaty has already failed. However, these essays have historic significance for an analysis of why Salt II failed. An important theme of these papers is the criticism of a policy of pursuing a succession of unsatisfactory treaties in order to keep negotiations open.

The final group of papers, which is concerned with President Ronald Reagan's defense initiatives and a survey of public opinion, has the greatest contemporary import because many members of the committee are members of the Reagan administration. These essays provide a glimpse of the viewpoint from which our foreign policy is shaped by our leadership. The survey reveals the attitudes of the American public toward our Soviet policy. Whatever the opinions, the data provided is impressive.

The Papers of the Committee on the Present Danger are a useful source of information. They provide an analysis of American and Soviet strengths and weaknesses and a survey of the public attitudes toward our own Soviet policy. Unfortunately, the value of these papers is marred by the committee's insistence on the correctness of its own position and its failure to conceive that any alternative to its views could be meritorious.

GUIDE TO INTERNATIONAL COMMERCE LAW. Volume 1. By Paul H. Vishny. Colorado Springs, Co.: Shepard's/McGraw-Hill, 1984, 600 pp.

GUIDE TO INTERNATIONAL COMMERCE LAW. Volume 2. By Paul H. Vishny. Colorado Springs, Co.: Shepard's/McGraw-Hill, 1984, 600 pp.

Volume One of this two volume guide states that the law of international commerce is the "body of rules governing commercial relationships of a private nature involving different countries." These rules provide the subject matter of this work. For example, the author sets forth the rules applicable to the international sale of goods in great detail: including how the contract is formed, how to select a method of payment, and how to arrange transportation. Volume One also provides exhaustive treatment of the licensing of technology and intellectual property; the legal and practical difference between agents, distributors and other representatives; wholly-owned international operations; joint ventures; and American taxation of international and foreign operations.

Volume Two deals primarily with foreign taxation; government regulation of multinational corporations and foreign investments; financing; government assisted programs; transaction risks; and dispute resolution. Volume Two includes sample agreement forms that take the practitioner step-by-step through the drafting process for joint ventures, sales and currency agreements. Tables include revenue rulings, U.S. and foreign statutes, cases and international treaties. *Guide to International Commerce Law* is a veritable goldmine of information for the international lawyer.

LEGAL AND INSTITUTIONAL ASPECTS OF THE INTERNATIONAL MONETARY SYSTEM: SELECTED ESSAYS, VOLUME II. By Joseph Gold. Washington, D.C.: International Monetary Fund, 1984, 947 pp.

Joseph Gold, former General Counsel and Director of the Legal Department of the International Monetary Fund, is currently Senior Consultant of the Fund. This volume draws on Mr. Gold's extensive experience at the IMF, including his role as participant in the negotiation and drafting of the First and Second Amendments of the Fund's Articles. This volume is divided into five sections which provide the framework for sixteen essays written by Mr. Gold: *General Topics*, which includes the development of the International Monetary System and International Monetary Law since 1971; *Aspects of the Fund*, which deals with the structure of the Fund and the Fund's relationship with the World Bank; *Exchange Rates*, which includes exchange rate regulation and the effect of exchange rates on treaties; *Reserve Assets*, which considers SDRs, ECUs and gold; and *International Law*, which offers essays on the distinction between intergovernmental and

interstate treaties, and organizations and trust funds in international law. Most chapters are updated with supplemental notes that provide more recent information on matters of detail.

THE FUND AGREEMENT IN THE COURTS: VOLUME II. By Joseph Gold. Washington, D.C.: International Monetary Fund, 1982, 499 pp.

The Articles of Agreement of the International Monetary Fund have affected many cases and issues in both national and international tribunals. This volume contains ten articles previously published in the Fund's periodical *Staff Papers*, in addition to five before unpublished articles. The five new additions address such issues as the diverse applications by courts of units of account in terms of gold, exchange control and arbitration. Other topics discussed include unjust enrichment, Eurodollar loans, letters of credit, and revenue laws. The author, a staff member in the Fund's Legal Department from 1946-1979, and the Department's director from 1960-1979, discusses in the Introduction uniformity of interpretation, and also explains why the Fund places more of the burden of interpretation on courts and legal advisors, than on the many authoritative interpretations of the Articles.

THE LEGAL ENVIRONMENT OF BUSINESS. By Rats A. Howell, John R. Allison, and N. T. Henley. New York: CBS Publishing Company, 1984, 690 pp.

This book concerns the legal environment within which all businesses in America must operate. It is an overview of law and the American legal system and examines the primary lawmaking and adjudicatory process, including those of administrative agencies. The book also emphasizes the role that economic, social, and political forces play in the shaping of legal rules. Finally, the book discusses the broad area of "government regulation," that is, upon those specialized bodies of law that impact most directly upon business.

GENERAL: SOCIAL, ECONOMIC AND GLOBAL SYSTEMIC

LINER SHIPPING CONFERENCES. By Charles H. C. MacKenzie, Michael E. Power, and Ted L. McDorman. Massachusetts: D.C. Heath and Company, 1985, 148 pp.

The existence of liner conferences, an association of vessel owners in a particular trade who agree to limit the competition and share the trade, has been a fact of international shipping since the late 1800s. Liner conferences

have been investigated and studied almost since their inception because of the monopolistic nature of their operation. Despite the lingering distrust towards the shipping cartel, they have operated continuously for over a hundred years.

The Liner Code of Conduct, which came into force in October, 1983, has generated a great deal of literature. *Liner Shipping Conferences* is a large-scale bibliography drawn primarily from the disciplines of economics and law. A number of government documents are included, and in particular, many of the studies completed by the United Nations Conference on Trade and Development (UNCTAD) during the preparation of the Liner Code.

THE INTERNATIONAL ECONOMY SINCE 1945. By W. M. Scammell. New York: St. Martin's Press, 1983, 244 pp.

This book is a history of the international economy during its most dramatic years. Since the Second World War great functional organizations have been created; there has been a phenomenal growth in world trade, and international industry, organized across frontiers, has emerged.

The author first examines the attempts at reconstruction and liberalization of world trade and payments in the aftermath of the Second World War. Part Two deals with the emergence of the new international economy of the 1960s, characterized by growth and experiment, a period of new customs unions and power groups, and the changing role of the multinational business. Confrontation between industrial countries and the Third World is also discussed.

This book brings together material from economic, political and biographical sources. It is a useful reassessment of the international aspect of the Western capitalist economy during a period of rapid and profound change.

EXCHANGE RATE VOLATILITY AND WORLD TRADE (OCCASIONAL PAPER 28). Edited by Jennie Lee Carter. Washington, D.C.: International Monetary Fund, 1984, 62 pp.

ISSUES IN THE ASSESSMENT OF THE EXCHANGE RATES OF INDUSTRIAL COUNTRIES (OCCASIONAL PAPER 29). Edited by Juanita Roushdy. Washington, D.C.: International Monetary Fund, 1984, 30 pp.

THE EXCHANGE RATE SYSTEM: LESSONS OF THE PAST AND OPTIONS FOR THE FUTURE (OCCASIONAL PAPER 30). Edited by Ella H. Wright. Washington, D.C.: International Monetary Fund, 1984, 64 pp.

In order for a sound international monetary system to exist, there must also be an effective exchange rate system. The present exchange rate system has recently undergone extensive reexamination and analysis, as evidenced by these three papers published by the International Monetary Fund. Occasional Paper 28 reviews possible evidence of a link between exchange rate volatility and international trade. It summarizes the mechanisms by which exchange rates can normally be expected to influence trade and employs time series and cross section analyses to measure possible direct effects of exchange rate variability on trade. The paper also attempts to measure the indirect impact of exchange rate variability on international trade and on the macroeconomic policies of industrial countries. The paper concludes that the evidence examined does not show a statistically significant link between exchange rates and trade; however, in view of various econometric modeling problems cited, the paper does not rule out the possibility that such a link may exist.

Occasional Paper 29 discusses the various factors used to assess the sustainability of exchange rates: the role of capital mobility and disturbances in financial markets; the level of competitiveness; and balance of payment levels. The paper concludes that, in view of these factors, any estimation of a sustainable rate will yield only a workable range, not a precise rate. It also concludes that there is considerable room for improvement in existing methods of determining exchange rates.

Occasional Paper 30 addresses the issue of how the present exchange rate system might be modified in the interest of greater economic efficiency. It analyzes the present system against four basic criteria and identifies six "key" issues which may set the future direction of the system.

INTERNATIONAL CAPITAL MARKETS DEVELOPMENT AND PROSPECTS (OCCASIONAL PAPER 31). By Maxwell Watson, Peter Keller and Donald Mathieson. Edited by O. Mary Price. Washington, D.C.: International Monetary Fund, 1984, 112 pp.

Since mid-1982 developments in the international finance market have been dominated by two factors: the recovery of industrial countries from the worldwide recession and the responses of international lenders and borrowers to external payment difficulties of developing countries. Occasional Paper 31 analyzes the impact of these factors on recent developments in international capital markets and assesses the prospects for the flow of private financing. The responses to these developments by international banks and their lending practices, the international bond market, and other capital markets are discussed. The paper closes with a discussion of short-term prospects for these markets.

WORLD ECONOMIC OUTLOOK (OCCASIONAL PAPER 32). By the Staff of the International Monetary Fund. Washington, D.C.: International Monetary Fund, 1984, 73 pp.

Recent economic indicators suggest that the world economy is strengthening at a rate faster than projected. Occasional Paper 32 describes the impact of the quickening recovery on industrial and developing countries and revises 1985 projections for growth and inflation. The domestic economic situation of member countries is reviewed, and the impact of the recovery on the balance of payments and financing position of developing countries is analyzed. The paper concludes with an assessment of the impact of the recovery on payment trends and exchange rate developments in industrial countries.

COMMODITIES FINANCE AND TRADE: ISSUES IN THE NORTH-SOUTH NEGOTIATIONS. By Arjun Sengupta. Westport, CT: Greenwood Press, 1980, 407 pp.

This timely collection of papers presents an up-to-date picture of the North-South negotiating process. Although some developing countries have strengthened their bargaining positions, progress toward restructuring economic, financial, and commercial relationships with industrialized nations has been handicapped. Inadequate coordination and the lack of planning and research to support their economic plans were major obstacles. The Centre for Research on the New International Economic Order undertook a study to review the North-South negotiating process. An impressive range of key policy-makers and academics participated in a series of seminars, which were held to attempt appraisals of the negotiations. This volume incorporates the papers presented and proceedings of two of these seminars with an introduction surveying the principal issues. The essays are of two varieties: those that examine general issues concerning the negotiations, such as power relationships and debt problems, and those essays forming case studies, such as trade in tin. A number of writers, from differing perspectives, emphasize the importance of a stable commodities market.

NON-TRADED AND INTERMEDIATE GOODS AND THE PURE THEORY OF INTERNATIONAL TRADE. By Bharat R. Hazan, Pasquale M. Sgro, and Dong C. Suh. New York: St. Martin's Press, 1981, 189 pp.

Non-Traded and Intermediate Goods and the Pure Theory of International Trade provides a systematic treatment of the introduction of these issues in both the first and second best framework. It presents several well-known propositions in the theory of international trade in terms of simple

and instructive geometry. The book also integrates a number of important new insights derived from recent research undertaken by the authors. The book provides a thorough survey of the literature in this area, making it the first systematic and comprehensive treatment of the topic.

The book is divided into two parts. Part One provides a simple geometrical treatment of a model of international trade with non-traded goods, a discussion of well-known propositions in the presence of non-traded goods, and an extension of the relatively important theorems in a second best framework. Part Two provides a four quadrant diagram to analyze the role of non-competitive intermediate goods in the real theory of trade and a discussion of several major propositions, including theories on gains from trade and tariffs.

COMPARATIVE INDUSTRIAL SYSTEMS. By Trevor Buck. New York: St. Martin's Press, 1982, 177 pp.

Comparative Industrial Systems provides a synthesis of three areas of theory usually kept apart. Buck's text focuses on the industrial enterprise under three abstract forms of enterprise control: capitalism, central planning, and self-management. The book begins with a consideration of the utopian theories of each system, concluding that such theories, while useful in some respects, cannot produce testable propositions. The author discusses more realistic versions of each system in theoretical terms, considering the variations and refinements that are made by governments to improve their industrial systems. Planned economies' experimentation with material incentives, capitalism's dabbling in planning, and labor co-operatives for both are all analyzed. Last, the author considers the actual experiences of all three systems and the extent to which the characteristics of the models are realized.

TRADE POLICY AND THE NEW PROTECTIONISM. By David Greenaway. New York: St. Martin's Press, 1983, 240 pp.

The world recession from the mid-1970s has thrown into reverse the post-war process of trade liberalization. In response, many countries have turned to protectionism, and in particular, to non-tariff instruments.

Greenaway's *Trade Policy and the New Protectionism* examines all aspects of tariff and non-tariff intervention. The major methodological difficulties of quantifying the effects are discussed extensively and full stress is laid upon the significant increase in the use of non-tariff barriers in the world economy.

Part One of the book examines the environment of international exchange and the benefits of unrestricted trade. Part Two reviews the eco-

conomic consequences of tariff and explores the concept of effective protection. Part Three is concerned with the "new protectionism." It opens with an investigation of the economic effects of a variety of non-tariff barriers. Greenaway considers the causes of the new protectionism and the problems of quantifying the effects of non-tariff instruments. The book concludes by focusing on a number of aspects of the economics of adjustment, in particular the potential employment effects of trade, and the institutional changes necessary to accommodate further trade liberalization.

STATE TRADING IN INTERNATIONAL MARKETS. Edited by M.M. Kostecki. New York: St. Martin's Press, 1982, 308 pp.

This book, a collection of essays written by scholars from a variety of disciplines, operates on the premise that the global benefits resulting from the burgeoning volume of international trade are endangered by what Raymond Vernon perceives as the alarming increase in state trading activity. Vernon, in his introduction to the book, details why both developed and developing nations feel compelled to indulge in state trading. Vernon posits that a new comprehensive system of rules to govern state trading must be established if the benefits of an otherwise free market global trading scheme are to be preserved. This book attempts to provide the first step towards elucidating these new rules.

The book examines the myriad forms of state trading and discusses the effects of this activity. Several authors explain why certain types of state trading and state regulation are preferable to other types of state intervention with regard to specific industries. Ivan Bernier, a Professor of Law at Laval University in Quebec, suggests that the General Agreement on Tariffs and Trade (GATT) should incorporate an approach to state trading similar to the one used to regulate subsidies and countervailing duties. Also contributing to the book are: M.M. Kostecki, Alex McCalla, Andrew Schmitz, Walter Labys, Oystein Noreng, P.J. Loyd, Harriet Matejka, Klaus Stegemann, Robert Floyd, Klaus Netter, Jean-Emile Denis, and Frieder Roessler.

THE GRANTS ECONOMY AND COLLECTIVE CONSUMPTION. Edited by R.C.O. Matthews and G.B. Stafford. New York: St. Martin's Press, 1982, 338 pp.

The 1979 Round-table Conference of the International Economic Association chose as its topic for discussion between the great economists of the East and West the concept of collective consumption. Though defined in various ways, the general definition used in the conference was collective consumption as goods or services provided free of charge, or nearly free of

charge, to the beneficiary. This book is a collection of papers and discussion sessions by those economists who participated in the conference.

The book is divided into four parts. Part One, entitled "Theoretical Principles," consists of six general discussions addressing topics from the issue of definition of the grants economy and collective consumption to the theoretical analysis of how collective consumption is, and should be, a major topic for dissertation by economists today.

Part Two is composed of two discussions under the heading of "Trends in Practice." The first paper, *Courses and Causes of Collective Consumption Trends in the West*, looks at trends in collective consumption in fifteen developed OECD countries over the years 1950-76. The second discussion, *Problems of Developing Collective Consumption in Socialist Countries*, addresses similar issues but in a different context; *i.e.*, the socialist countries. Both papers use graphs and tables to enunciate the trends in collective consumption in their respective geographic areas.

Part Three is entitled "Organization and Control." Contributive works in this part concern, for example, those decision-making processes affecting collective consumption. It was the original intention of the conference to give a great deal of attention to the decision-making and the administrative and political aspects of collective consumption because of the belief that economics needs to develop a way of analyzing non-market economic phenomena.

Part Four, "Conclusion—The Questions at Issue," is a discussion authored by one of the editors, Robin Matthews. The purpose of this discussion was "to place in a common context the various papers contributed to the conference." The paper itself concludes with a brief summary of each participants' views as presented in the book.

The book also contains a General Index by subject matter and by the participants of the conference.

THE THEORY OF INTERNATIONAL TRADE. By Ali M. El-Agraa. New York: St. Martin's Press, 1983, 186 pp.

The purpose of this book, the author writes, "is to use geometry as *the main* medium of exposition to take those with a basic knowledge of economics from an elementary application of that knowledge to the most recent developments in the field of intra-industry international trade theory." Indeed, the book incorporates mathematic formulae and diagrams to present an overview of the international economic picture. The issues addressed concern what determines the pattern and composition of international trade, what countries gain from trading, what the effect is of international trade on income distribution and what are the reasons behind economic integration.

The book is divided into fourteen chapters, with each chapter subdivided into specific discussion headings. Each chapter is entitled, respectively: The Nature and Significance of International Dependence, The Analysis of Demand in International Trade, The Analysis of Supply in International Trade, General Equilibrium and the Gains from Trading, The Determination of the Terms of Trade, Explanations of the Pattern and Composition of International Trade, Issues Emanating from the HOS Model, Impediments on Trade, Optimum Tariffs and Retaliation, Tariffs: Some Further Issues, Theory of Economic Integration, Economic Growth and International Trade, Market Imperfections and Factor Mobility, and Economics of Scale.

The book contains a lengthy bibliography of selected works as well as both an author and subject matter index.

THE INTERNATIONAL GOLD STANDARD: MONEY AND EMPIRE.

By Marcello de Cecco. New York: St. Martin's Press, 1984, 254 pp.

Concerned actors in the international community introduced the International Gold Standard as a means of controlling the tremendous instability of prices in the world economy at the end of the nineteenth century. Based in Great Britain, the Gold Standard was a workable system while the "Sterling Standard" was faithfully followed. But with the decline of that adherence to the Sterling Standard, the International Gold Standard system collapsed in July of 1914.

De Cecco explores the development of the International Gold System and places the demise of the system in a coherent historical context. Through his historical analysis, de Cecco warns the reader that countries adopted the Gold Standard in order to increase centralized control over monetary matters. This warning is intended as a response to the present clamor in the world community, and the United States in particular, for a resurrection of the Gold Standard system. Through his realistic and balanced historical discussion, de Cecco attempts to dispel the "myth" that the International Gold Standard decentralized control over monetary affairs.

ASIA AND THE PACIFIC

LEGAL PROBLEMS OF SEABED BOUNDARY DELIMITATION IN THE EAST CHINA SEA. By Ying-jeou Ma, with a foreword by Louis B. Sohn. Baltimore, MD: Occasional Papers/Reprints in Contemporary Asian Studies, 1984, 308 pp.

The fluid state of the Law of the Sea combined with the political climate in East Asia have embroiled debate over who may exert jurisdiction

over resources in the East China Sea. *Legal Problems of Seabed Boundary Delimitation in the East China Sea* solves this issue in concise and cogent terms.

Part One of this study sets forth, in three chapters, the geophysical, political, and economic backgrounds of the East China Sea oil controversy; reviews the conflicting claims and overlapping concessions of the coastal states; and defines the issues to be pursued in subsequent chapters. Part Two deals with the question of title to oil in three aspects. Chapter Four examines, in the light of various sources of international law, including the LOS Convention, the relevance of the Tiao-yu-t'ai territorial dispute to the seabed boundary issue. Chapter Five takes a fresh look at the decade-old seabed boundary problem, drawing upon recent developments during and after UNCLOS III. A solution is proposed on the basis of the legal analysis. Chapter Six analyzes a unique dimension of the present controversy—the relevance of the Peking-Taipei rivalry to the seabed dispute. Questions of recognition of governments in divided states are considered in the context of the disputed seabed area.

CHINESE YEARBOOK OF INTERNATIONAL LAW AND AFFAIRS, Vol. 3 (1983). Edited by Hungdah Chiu. Baltimore, MD: Occasional Papers/Reprints Series in Contemporary Asian Studies (under the Auspices of the Chinese Society of International Law—Chinese (Taiwan) Branch of the International Law Association, 1984, 347 pp.

The *Chinese Yearbook of International Law and Affairs* reports on the Republic of China on Taiwan's practice of international law. The style and format of this volume is the same as earlier volumes and the information contained here generally covers the period between January 1 and December 31, 1983. However, for the convenience of the readers, some information, especially that relating to contemporary practice and judicial decisions and to legal problems of U.S.-Republic of China trade, has been brought up to the summer of 1984.

The Articles Section contains two articles. The first article, by Hungdah Chiu, deals with the issue of how the relevant provisions of the 1982 United Nations Convention on the Law of the Sea can be applied to the delimitation of the maritime boundary between the Republic of China and the Philippines in the Bashi Channel between Taiwan and the Philippine island of Luzon and in the South China Sea area.

1983 is the 40th anniversary of the abrogation of the Chinese Exclusion Acts by the U.S. Congress. Mark A. Ryan's article analyzes the legal and diplomatic aspects of Chinese immigration to the United States and the subsequent irrational mood in the United States leading to the adoption of various Chinese Exclusion Acts, in violation of Sino-American treaties and

the principle of equality of states in international law. It was not until the Second World War period, when the Republic of China, under the leadership of Chiang Kai-shek, became an ally of the United States, that the U.S. Congress enacted Public Law 78-199, 57 Stat. 600, which repealed all Chinese exclusion legislation, granted an immigration quota of 105 persons to the Chinese and made Chinese eligible for naturalization.

In the Current Development Section, Dr. Jyh-pin Fa summarizes several important legislative acts relating to human rights adopted in the Republic of China in 1982 and 1983. In view of the increasing public concern over the maintenance of a healthy environment for the people living in Taiwan, three laws—the revised Air Pollution Control Act, the revised Water Pollution Act and the Noise Control Act—were adopted during this period. Another important legislative act summarized in Dr. Fa's article is the set of amendments to the 1980 Law on Election and Recall of Public Officials. The amendments were primarily intended to deal with election bribery and to place a ceiling on election spending. However, only the result of the 1986 election will tell whether these amendments will be effective. An important constitutional question relating to the protection of citizens' rights is the retroactive effect of an Interpretation rendered by the Council of Grand Justices. In its Interpretation No. 177, rendered on November 5, 1982, the Council took the position that if the persons who filed the case may benefit from the Interpretation, then retroactivity would apply. Dr. Fa analyzes the arguments among the judicial officials with respect to this problem and the developments leading to the adoption of this Interpretation.

Because of the rising mood of protectionism in the United States due to recession, a number of dumping and unfair practices cases were filed against Republic of China exporters. The principal trade cases between July 1, 1983 and July 31, 1984 are summarized and analyzed by David Simon in this section.

The delicate international status of the Republic of China gives rise to many interesting problems of international law in several foreign countries. The next section thus presents some important foreign legal opinions and judicial decisions relating to the Republic of China. Three judicial decisions from the United States and the United Kingdom are included here. Moreover, the lengthy debates and analysis concerning the status of diplomatic property owned by the Republic of China after January 1, 1979—the date of U.S. de-recognition—are collected in this section.

The Contemporary Practice Section includes many documents of current interest. These include documents concerning the capacity of a foreign government organ to sue in the Republic of China; new regulations governing the exit, entry and residence of aliens; control of foreign warships in the Chinese territorial sea; the new law on commercial ports; protection of foreigners' copyrighted articles in the Republic of China (the merits of the

Apple Computer II case); and recognition of marriages or divorces performed in foreign countries.

In addition to the Book Review Section, Articles Summaries have been restored to the publication. This section includes six articles published in the Republic of China and the United States dealing with various legal or international problems concerning the Republic of China.

CHINA: SEVENTY YEARS AFTER THE 1911 HSIN-HAI REVOLUTION. Edited by Hungdah Chiu with Shao-chuan Leng. Charlottesville, VA: University of Virginia Press, 1984, 601 pp.

The Hsin-hai Revolution in China broke out on October 11, 1911. Its result was the end of the imperial Ch'ing dynasty (1644-1911) and the establishment of the Republic of China (ROC). This revolution not only emancipated the Chinese nation from imperial rule but it also made it the first country in Asia to establish a republic form of government.

In 1981 both Peking and Taipei had extensive programs to commemorate the 1911 Hsin-hai Revolution of Dr. Sun Yat-sen. Although the Chinese Communists abolished the Republic of China (ROC) in 1949 and inaugurated the People's Republic of China (PRC), they continue to consider themselves the successors of that revolution. The Republican Government in Taiwan also believes this revolution to be the most important event in its history. Because 1981 marked the seventieth anniversary of the Revolution, the editors believe this year a good point to assess the success of the proclaimed goal of the Revolution, the elevation of China to a respectable place in international society. While many books have studied the development of China since 1949, most of them deal primarily either with Mainland China or with Taiwan. Often, only passing reference is made to the other China. This is the first major scholarly attempt to examine and systematically compare, in a single volume, the development of both parts of China, separated since 1949 by the Taiwan Strait.

The chapters treating China's legal development should be of particular interest to the international lawyer. Tao-tai Hsia examines legal development in the PRC. Hungdah Chiu presents the major trends in the ROC's legal developments. These chapters should also be read in conjunction with the chapters on foreign affairs, authored by Harold C. Hinton and Ralph N. Clough.

JAPANESE BUSINESS LAW AND THE LEGAL SYSTEM. By Elliott J. Hahn. Westport, CT: Quorum Books, 1984, 168 pp.

The importance of Japan's position as the free world's second-largest international market is unquestioned. Less clear are the complexities of the

Japanese business and legal system as well as the very culture of the Japanese people. An in-depth understanding of these factors is vital to the success of every business and legal transaction conducted by non-Japanese entering this lucrative market.

Hahn's *Japanese Business Law and the Legal System* was written to improve our understanding of the Japanese legal system. It presents an overview of Japanese business law, a detailed analysis of the specific roles of attorneys in Japan, and enlightenment on the Japanese legal interpretation of important issues such as contract, antitrust, and patent and trademark laws. Hahn provides practical guidance for the Westerner on how to negotiate and act within the Japanese legal system and the specifics of Japanese business, licensing, and contract law. In conclusion, Hahn provides the reader with insight into many of the nuances underlying the beliefs, customs, modes of behavior, and values of the Japanese people.

FROM PATRON TO PARTNER. Edited by Karl Moskowitz. Massachusetts: D.C. Heath and Company, 1984, 234 pp.

The U.S. has made important contributions to the development of modern management education in Korea. Direct assistance from the U.S. provided crucial training and financial support for faculty and curriculum development at the critical point when Korea was turning from post-war reconstruction to rapid economic growth. *From Patron to Partner* is a collection of a series of articles concerning the development of United States-Korean business and trade relations.

The essays deal with the trade behavior of American firms in Korea, as well as governmental regulation of direct investments between Korea and the United States. Other topics of discussion involve American technology and Korea's technological development, the American role in the development of management education in Korea, and the growing trade conflict between the Republic of Korea and the United States.

THE SOVIET UNION AND EASTERN EUROPE

BETWEEN RUSSIA AND THE WEST: HUNGARY AND THE ILLUSIONS OF PEACEMAKING, 1945-1947. By Stephen D. Kertesz. Notre Dame, Indiana and London: University of Notre Dame Press, 1984, 302 pp.

The Great Powers used Hungary as a pawn during their negotiations in the aftermath of the Second World War. Hungary had looked to the West for restoration of the independence it enjoyed before the German invasion, only to find that the failure of the Paris peace negotiations had, in effect, placed Hungary under Soviet control.

The author, Stephen Kertesz, was a member of the Hungarian Foreign Ministry from 1931-1947, and from his position as both an actor and observed in the negotiations following the war, he tells how he tried in vain to secure a fair settlement for his country. Because Hungary played only a small part in the rearranging of Europe, Kertesz' and Hungary's, dream of a "cooperative state system along the Danube" was never realized. Instead, Hungary was, in the view of the West, handed over to "the dark side of the moon."

WESTERN EUROPE

EXCLUSIVE DEALING AGREEMENTS IN THE E.E.C.: REGULATION 67/67 REPLACED. By Valentine Korah. London: European Law Centre Limited, 1984, 101 pp.

In 1984, the Commission of the European Communities revised Regulation 67/67, which governed exclusive trading agreements in the E.E.C. community, and reenacted it as two separate regulations. Regulation 1983/83 controls exclusive distribution while Regulation 1984/83 controls exclusive purchasing. Valentine Korah, a well-known author in the field of E.E.C. competition law, discusses practical changes as well as possible effects that these new regulations will have on market agreements in the E.E.C. community.

In Part One, Korah outlines the regulations and discusses each provision in detail. She analyzes their effect on commercial contracts and on the restriction of competition among the member States of the E.E.C. Throughout Part One, Korah offers valuable practical advice to lawyers practicing in the area of trade agreements.

In Part Two, the Commission's Explanatory Memorandum (Guidelines) is reproduced in full. Part Three simply sets out the full text of Regulation 1983/83 and 1984/83.