1991

Noteworthy New Titles

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Daniel L. Wade†

GENERAL REFERENCE


This, a companion volume to Claire Germaine's Guide to Foreign Legal Materials: French (Dobbs Ferry, NY: Oceana for the Parker School of Foreign and Comparative Law) and the second edition of the second part of his Guide to Foreign Legal Materials: French, German, Swiss (Dobbs Ferry, NY: Oceana for the Parker School of Foreign and Comparative Law, 1959), is an excellent guide to West German legal materials for the common law lawyer. The volume is arranged around forms of legal literature, with comprehensive chapters on statutory and case law. The work does not focus on the mechanics of legal research, but rather on legal bibliography. It discusses the most important books in a great number of subject areas, including more theoretical fields such as legal history and legal philosophy. Generally, the volume concentrates on more traditional scholarly works over practice-oriented ones, except in selected areas of the law, such as commercial law.

The volume includes several helpful appendices, namely lists of legal abbreviations, publishers' addresses, and English language titles cited. Additionally, the volume has both author, title, and subject indices. There is also a brief discussion of legal citations and illustrations of several important reference tools.

The authors have expressly excluded legal materials from the German Democratic Republic. Hopefully, they will soon publish a supplement to their work to cover changes in the legal literature resulting from German reunification.


This compilation of documents, dealing with the Conference on Security and Cooperation in Europe (CSCE) and the Helsinki Process with its specialized subsequent meetings, begins with the "Final Recommendations

† Foreign and International Law Librarian, Yale Law School Library.

235
of the Helsinki Consultations" (Helsinki, June 8, 1973) and extends beyond
the Vienna Follow-Up Meeting to the "Document of the Bonn Conference
on Economic Cooperation in Europe" (Bonn, April 11, 1990). The editor
provides an excellent introduction to the Helsinki Agreement, and surveys
the ensuing Helsinki process developments. The volume includes all signed
and adopted official documents, but regrettably does not include draft
documents, such as those coming out of the 1986 Bonn Meeting on Human
Contacts, which focused on family ties and marriages between citizens of
two CSCE states.

The editor has included several research aids, including a list of abbre-
vviations, a brief two page chronology of CSCE meetings, a select bibliog-
raphy, and a subject index. Though not promised, there will hopefully be
periodic supplements to update readers on forthcoming documents from
future CSCE meetings.


This Guide succinctly analyzes the activities of almost five hundred
African international organizations. For each of the organizations the
volume lists its acronym, founding date, address of its headquarters, and
its member states. The Guide also frequently provides a brief description
of organizational activities.

Of special value is a chapter describing in considerable detail the most
prominent of the African intergovernmental organizations, some of which
are now defunct. The organizations discussed include: the Organization of
African Unity, East African Community, Organization Commune Africaine
et Malgache, Economic Community of West African States, the Southern
African Development Coordination Conference, the Custom Union of
Central African States, and the African Development Bank. The Guide also
includes an extensive chapter providing biographical data on the leaders
of the organizations and a brief chronology of significant dates relating to
the most important international organizations in Africa.

The work contains useful appendices, including an alphabetical list of
acronyms and a membership list arranged by country name. It also has a
section on maps, indicating country membership in specific organizations.
The Guide concludes with a select bibliography and a subject index.
Though a wealth of information is provided on African international
organizations, the reader is frequently left wanting more information.
However, the Guide is a good starting place for researchers and can be
supplemented by the Yearbook of International Organizations (Brussels:
Noteworthy New Titles

Union of International Association, 1950-), which provides additional information.


This annotated bibliography provides an excellent guide to the official publications of foreign countries. Until Reynolds and Flores publish their Foreign Law: Current Sources of Codes and Basic Legislations in Jurisdictions of the World (1989-) (see 15 Yale Journal of International Law 197 (1990)), which will presumably be more comprehensive with respect to legal publications, this work should provide a valuable reference tool to official legal publications (i.e., official gazettes, legislation, regulations, legislative proceedings, and court reports for most countries). Besides the legal publications, it covers official publications in a number of law related fields, including economics, banking, health, labor, and education. The Guide also provides information on development plans, budgets, statistics, and census data. It is especially helpful in describing where the official publications can be obtained.

The work lists sources of general information on each country, in addition to guides, catalogs, official publications, important bibliographies, bibliographic publications, government directories, and organizational manuals. As a whole, the Guide is a rich source of information even with respect to the less developed countries; it could be especially helpful to practitioners dealing with legal problems in these jurisdictions.

Although the editor describes the work as a highly selective compilation of government documents, the Guide provides an invaluable resource to the scholarly world.


meetings of the seven major industrialized nations, namely Canada, the Federal Republic of Germany, France, Italy, Japan, the United Kingdom and the United States. For each of the summits, he lists the country delegations and then divides the documents into five basic types: the final communiques or declarations, policy statements on political and special topics, chairpersons' summaries, the host countries' end-of-summit summaries, which are most important, and finally transcripts of press conferences and press releases.

John J. Kirton, Co-Director of the Research Centre for International Studies at the University of Toronto, provides an excellent introduction to the nature and importance of the documents. He perceives the compilation as serving three functions: 1) detailing a record of the changing agenda of world politics, 2) revealing the "real, as opposed to declaratory, foreign policies of the participants," and 3) providing a record "not only of the issues and the positions, but also of the decisions that count in world politics."

The editor also provides a select bibliography, a subject index, and a list of abbreviations and acronyms.

HUMAN RIGHTS


This collection of eleven essays, written by academics and human rights activists, emanated from two conferences held in Buffalo, New York in March 1987 and May 1988. The collection uses case studies to highlight significant human rights issues. After two introductory chapters entitled "Global Change and Human Rights: Asian Perspectives in Comparative Context" and "The Asian Region and the International Human Rights Movement," the editors arrange the essays into two sections entitled "Asian Cultural Traditions and Human Rights" and "Group Conflict and Human Rights." The collection seems to focus on South Asia and, surprisingly, lacks any in-depth discussion on Cambodia or China.

Of special note is the extensive, annotated bibliography on human rights in South and Southeast Asia compiled by Nina Cascio, International Law Librarian at the State University of New York, Buffalo, New York. The work also contains a subject index.

Noteworthy New Titles

This volume examines the treatment of today’s refugees from legal, ethical, and social science perspectives. It explains the interplay of international and national responses to the growing number of asylum seekers. The need to focus attention on human rights issues in the development of refugee law is a central theme in each of the volume’s twelve papers.

After the editor’s introductory chapter on the nature of the refugee problem, there are two chapters dealing with the response to refugees by the international community and the United States (including two interesting contributions on American policy with respect to refugees from Central America and Africa). Lastly, there are two papers on the responses of citizens and church-affiliated groups, followed by the editor’s concluding chapter entitled "The Challenge: Averting Flows of Refugees and Providing Effective Protection and Durable Solutions." The work also includes a select bibliography and subject index.

INTERNATIONAL TRADE AND FINANCE


This volume provides a thorough analysis of the legislative measures that resulted in the deregulation of the British securities market (the "Big Bang"), effective as of October 27, 1986, and the impact this legislation had on the international securities markets. The author, after explaining the deregulation process, analyzes in considerable detail the British Financial Services Act of 1986, a copy of which is appended. A final chapter discusses the United Kingdom’s securities market within the context of those in other member states of the European Community and in Europe as a whole.

The volume provides a number of users’ aids to facilitate an understanding of this complicated subject, namely: a glossary of terms and acronyms, tables of cases, statutes, rules and regulations of the United Kingdom’s Securities and Investments Board, United States statutes and rules, rules of self-regulatory organizations within the United Kingdom and the United States, and Directives of the Council of European Ministers. The work also includes a subject index and a select bibliography of foreign sources.

This survey of pre-trial and pre-hearing procedures in civil and criminal cases is the third in a very useful series of books on international procedure published under the auspices of the International Litigation Committee of the International Bar Association (see review of Obtaining Evidence in Another Jurisdiction in Business Disputes in 14 Yale Journal of International Law 595 (1989)). The papers, prepared for the 1980 Annual Meeting of the Section on Business Law of the International Bar Association in Strasbourg, France, cover the procedural rules of more than thirty industrialized countries.

The survey chapters follow a uniform organizational structure: briefly explaining the court system, the way of initiating cases, the system of pre-trial discovery and evidence gathering, motion practice, other characteristic aspects of pre-trial proceedings specific to each country, the significance, if any, of the lifting of trade barriers in Europe in 1992, and the unique aspects of pre-trial procedures in products liability and insurance cases. Following the country surveys, there are chapters on: products liability cases in England, Germany, and the United States; multi-party insurance cases in the United States; and a general discussion on the obtaining of evidence prior to arbitration hearings.

There is no bibliography or subject index, but some of the sections have extensive footnotes citing legislation, cases, and other materials.

PUBLIC INTERNATIONAL LAW


This, the fourth volume on the law of the sea in the series of Oxford Monographs in International Law, originated as an Oxford doctoral thesis under the supervision of Professor Ian Brownlie, QC. The author addresses one of the more difficult aspects of the Third United Nations Conference on the Law of the Sea Convention (UNCLOS III), namely the examination of how the land-locked and geographically disadvantaged states attempted to influence negotiations at UNCLOS III, and how well they fared as a result.

Following an introductory chapter and a critique of the preferential treatment of land-locked and geographically disadvantaged states,
Noteworthy New Titles

Vasciannie analyzes these states' rights of access to the exclusive economic zones, the continental shelf, and the deep seabed. The author concludes his work with a discussion of the treaty approach to the question of access to the sea for these nations based on general legal principles and customary international law. An extensive bibliography and a subject index are also included.


While these papers from the thirty-third Annual Meeting of the Seminar on the Acquisition of Latin American Library Materials, held at the University of California, Berkeley, June 6-10, 1988, may be of interest to anyone concerned with Latin America, they have numerous features that are especially noteworthy to those interested in public international law and international organizations in the region. As it is unlikely that these papers will be found in the indexing sources typically consulted by legal researchers, it is especially important to take note of them and file away the citations for future use.

The papers, authored by some of the foremost international law librarians in this country, as well as one from the Ibero-Amerikanisches Institut of the Preussischer Kulturbesitz, Berlin, were prepared for the panel on "Regional Organizations Documents and other Publications," and include contributions by: Sabine Zehrer, "Organizaciones internacionales de América Latina: Recursos bibliográficos y su adquisición con relación especial a la República Federal de Alemania;" Patricio Aranda-Coddou, "Documents of the Latin American Regional Organizations on Banking and Finance;" Thomas H. Reynolds, "Latin American Economic Integration: Documentary and Auxiliary Research Sources;" and Igor I. Kavass, "The Grupo Andino and its Documents." These papers contain a wealth of information not easily found elsewhere, and thus should prove most valuable to those interested in Latin American regional organizations.


Professor Koh's timely analysis of the constitutional issues revealed by the Iran-Contra Affair originated with his highly popular course "Legal
Constraints on the Foreign Affairs Power" taught at the Yale Law School. The thrust of his argument is that history should remember the Iran-Contra affair "not as an aberration, an error on the part of certain individuals," but "as a fundamental failure of the legal structure that regulates the relations among the president, Congress and the courts in foreign affairs."

Professor Koh's book is divided into three parts entitled the Precedent, the Problem, and the Prescription. He suggests a number of structural solutions to ensure that the power to conduct foreign policy is a power properly balanced by the three branches. This book is of particular interest given the current war in the Persian Gulf.


This, the latest of Professor William E. Butler's works on Soviet law, is a collection of twenty-two papers prepared for the third Anglo-Soviet Symposium on Public International Law held at University College, London in March of 1989, under the auspices of the Centre for the Study of Socialist Legal Systems, University College, London, and the Soviet Association of International Law. Authored by both Soviet and English legal scholars, the papers are intended to reflect the new thinking about international law under perestroika and to identify new approaches to restructuring international law.


Professor Tunkin's article on "The Practice of International Law and Politics" and the concluding chapter by Professor Butler on perestroika and the teaching of human rights law in the U.S.S.R., are especially noteworthy. The latter is accompanied by a translation of a syllabus for a course on "History, Theory and Practice of Human Rights" offered at the All-Union Juridical Correspondence Institute, which is described as the "first instructional course on human rights problems within the system of higher education of the country." While the editor did not include a bibliography, there are extensive footnotes throughout the volume.

The author, a Senior Research Fellow in the North Asia program at the Research School of Pacific Studies, Australian National University, Canberra, an international lawyer who has worked for many years as a strategic analyst on Asian-Pacific affairs at the Joint Intelligence Organization, Department of Defence, the Australian Commission, Hong Kong, has written an excellent legal analysis on the 1979 Vietnamese invasion and subsequent occupation of Cambodia. He examines this international incident within the framework of humanitarian law.

The volume includes several users' aids, including a list of acronyms and abbreviations used in chapter notes, a bibliography of sources, maps, photographs, appendices of source material, and a subject index. Klintworth's analysis is very readable, and provides a good introduction to those who are interested in understanding the current situation in Cambodia.